The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

FOURTH LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF IOWA.

BEGUN AND HELD AT IOWA CITY, ON MONDAY THE SIXTH DAY OF DECEMBER,
ONE THOUSAND EIGHT HUNDRED AND FORTY-ONE.

DUBUQUE:
WILSON & KEESECKER, PRINTERS.

1842.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

IOWA LEGISLATURE.

BEGUN AND HELD AT IOWA CITY, ON MONDAY THE SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSARD EIGHT HUNDRED AND FORTY-ONE, BY VIRTUE OF AN ACT OF THE LEGISLATIVE ASSEMBLY, APPROVED, JANUARY 13, 1841.

At 12 o'clock, M. the House was called to order by JOSEPH T. FALES, Chief Clerk, when the following named gentlemen appeared, presented their credentials, and took their seats, the requisite oath having been administered by JOHN HAWKINS, Esq.

From the county of Lee—WILLIAM PATTERSON, E. S. MCCULLOCH, HENRY J. CAMPBELL.

From the county of Van Buren—JOHN M. WHITAKER, URIAH BIGGS.

From the county of Des Moines—ISAAC LEFFLER, DAVID E. BLAIR, GEO. HEPNER, JAMES M. MORGAN.

From the county of Henry——PATON WILSON, SIMEON SMEAD, ASBURY B. PORTER.

From the county of Louisa—WILLIAM L. TOOLE.

From the county of Washington—THOMAS BAKER.

From the county of Muscatine—SAMUEL HOLLIDAY.

From the county of Johnson—HENRY FELKNER.

From the counties of Cedar, Jones, and Linn—SAMUEL P. HIGGINSON.

From the counties of Scott and Clinton—JOSEPH M. ROBERTSON JAMES GRANT.

From the counties of Dubuque, Clayton, and Delaware—WARNER LEWIS, C. H. BOOTH.

From the county of Jackson—JAMES K. MOSS.

A quorum consisting of a majority of the whole number of members, being present, it was, on motion of Mr. Wilson,

Ordered, That Isaac Leffler, of Des Moines county, be appointed Speaker *pro tem.*

On motion of Mr. Robertson,

Resolved, That a committee of two be appointed, to wait on the Rev. Mr. Hummer, and request him to open the present session of the House by public prayer.

Messrs. Robertson and Blair were appointed said committee, who, in a short time, introduced Mr. Hummer, when he engaged in public prayer; after which, on motion of Mr. Lewis,

The House adjourned until to-morrow morning at 10 o'clock.

Tuesday Morning, Dec. 7, 1841.

Mr. Patterson presented the credentials of Richard Quinton, member elect from the county of Jefferson, who was, after being sworn, permitted to take his seat.

On motion of Mr Biggs,

Ordered, That the House now proceed to the election of Chief Clerk.

Whereupon, Messrs. Biggs and Hepner, were appointed tellers.

Upon counting the ballots it was found that Joseph T. Fales, had received 22 votes and Blank 1 vote. Mr. Fales having a majority o all the votes was declared duly elected Chief Clerk.

On motion of Mr. Hepner,

Ordered, That the rules of the last session be adopted temporarily, for the government of this House.

On motion of Mr. Porter,

Ordered, That the House proceed to the election of Speaker.

Mr. Hepner nominated Warner Lewis.

Mr. Baker nominated James Grant.

Mr. Quinton nominated Uriah Biggs.

Messrs. Hepner and Baker were appointed tellers.

Upon counting the ballots, it was found that Mr. Lewis had received 13 votes, Mr. Grant 5 votes, Mr. Biggs 2, Scattering 3 votes. Mr. Lewis having received a majority of all the votes given, was declared to be duly elected Speaker, and was conducted to the Chair by Messrs. Patterson and Hepner, when he addressed the House as follows:

Gentlemen:—Permit me to tender you my warmest thanks, for the partiality you have seen fit to extend towards me upon the present occasion.

In presiding over your deliberations, gentlemen, I have no doubt but that I shall have frequent occasions to ask your indulgence and the assistance of your better judgment, in the discharge of the duties incumbent upon the Chair. I can only promise you to discharge those duties strictly impartial and with an honesty of purpose.

It may not be improper for me to impress upon your minds, gentlemen, that in order to facilitate the public business we have been sent here to discharge, and that in order to maintain that dignity, and good order which is so essential in a deliberative body like this, that a strict adherence to the rules that may be adopted by you, will be indispensably necessary. More might be said upon an occasion like the present, but I deem it totally unnecessary; and even were I competent to do so, the embarrassments which surround me forbid.

You will again, gentlemen, receive my thanks.

A motion was made by Mr. P rter, that a Committee be appointed to consist of one member from each electoral district, to apportion the officers of this House agreeable to the representation of the same.

And the question being put, was decided in the negative—Yeas 9, Nays 14.

The Yeas and Nays being desired by Mr. Porter,

Those who voted in the affirmative were, Messrs. Blair, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole and Wilson—9.

Those who voted in the negative were, Messrs. Baker, Biggs, Booth, Campbell, Felkner, Grant, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Whitaker, and Lewis, Speaker—14.

So the motion was lost.

On motion of Mr. Hepner,

Ordered, That the House proceed to the election of an Assistant Clerk.

Mr. Morgan nominated Lemuel Parkhurst.

Mr. Grant nominated H. S. Finley.

Messrs. Patterson and Booth were appointed tellers. Upon counting the ballots, it was found that Lemuel Parkhurst had received 13 votes, and H. S. Finley 10 votes.

Whereupon, Mr. Parkhurst, having received a majority of all the votes given, was declared duly elected Assistant Clerk.

Mr. Grant offered the following:

Resolved, That this House will dispense with the election of the following officers, to wit: Recording Clerk, Asssistant Door-Keeper, Messenger and Assistant Messenger.

And the question being put, "Will the House adopt the resolution?" was determined in the negative—Yeas 10, Nays 13.

The Yeas and Nays being desired by Mr. Leffler.

Those who voted in the affirmative were, Messrs. Blair, Grant, Leffler, McCulloch, Moss, Porter, Robertson, Smead, Toole, and Wilson—10.

Those who voted in the negative were, Messrs. Baker, Biggs, Booth, Campbell, Felkner, Hepner, Higginson, Holliday, Morgan, Patterson, Quinton, Whitaker, and Lewis, Speaker—13.

On motion of Mr. Felkner.

Ordered, That the House proceed to the election of a Recording Clerk; whereupon Messrs. Moss and Leffler were appointed tellers. Upon counting the ballots it was found that S. B. Gardner had received a majority of all the votes given, and was declared duly elected Recording Clerk.

On motion of Mr. Patterson,

Ordered, That the House proceed to the election of an Engrossing Clerk.

Messrs. Toole and Felkner were appointed tellers. Upon counting the ballots it was found, that William A. Thurston had received a majority of all the votes given, and was therefore declared elected Engrossing Clerk.

On motion of Mr. Baker,

Ordered, That the House proceed to the election of an Enrolling Clerk.

Mr. Baker nominated Benjamin Tucker.

Mr. Toole nominated Jno. Blake.

Mr. Porter nominated John Finley.

Messrs. Grant and Blair were appointed tellers. Upon counting the ballots it was found that Mr. Tucker had received a majority of all the votes given, and was declared duly elected Enrolling Clerk.

On motion of Mr. Whitaker,

Ordered, That the House proceed to the election of a Sergeant at Arms.

Mr. Biggs nominated Charles Price.

Mr. Porter nominated James McCaulley.

Messrs. Robertson and Morgan acted as tellers. Upon counting the ballots it was found that Charles Price had received a majority of all the votes given, and was declared duly elected Sergeant-at-Arms.

On motion of Mr. Hepner,

Ordered, That the House proceed to the election of Door-Keeper, Messrs. Robertson and Smead acted as tellers.

Mr. Hepner nominated John R. Williams.

Mr. Robertson nominated Daniel Davis.

Upon counting the ballots it was found that Mr. Williams had received a majority of all the votes given, and was declared elected Door-Keeper.

A motion was made by Mr. Morgan, that the House proceed to the election of an Assisstant Door-Keeper; and the question being put, was determined in the affirmative—Yeas 12, Nays 11.

The Yeas and Nays being desired by Mr. Leffler,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Hepner, Holliday, Morgan, Patterson, Quinton, Toole, Whitaker and Lewis, Speaker—12.

Those who voted in the negative were, Messrs. Blair, Felkner, Grant, Higginson, Leffler, McCulloch, Moss, Porter, Robertson, smead and Wilson—11.

So the question was determined in the affirmative.

Mr. Morgan nominated H. L. Jeanin.

Mr. Toole nominated John Bragg.

Messrs. Porter and McCulloch were appointed tellers.

Upon counting the ballots it was found that H. L. Jeanin had received a majority of all the votes given, and was therefore declared elected Assistant Door-Keeper.

A motion was made by Mr. Quinton, that the House go into the election of a Messenger.

And the question being put was decided in the affirmative—Yeas 17, Nays 6.

The Yeas and Nays being desired by Mr. Leffler,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Felkner, Hepner, Higginson, Holliday, McCulloch, Morgan, Patterson, Quinton, Robertson, Toole, Whitaker, Wilson and Lewis Speaker—17.

Those who voted in the negative were, Messrs. Blair, Grant, Leffler, Moss, Porter and Smead—6.

So the motion was agreed to.

Mr. Quinton nominated T. B. Browne,

Mr. Toole nominated A. G. Adams.

Mr. Wilson nominated Jas. McCaulley.

Messrs. Holliday and Leffler were appointed tellers.

Upon counting the ballots it was found that T. B. Browne had received a majority of all the votes given, and was therefore declared duly elected Messenger.

A motion was made by Mr. Patterson, that the House now proceed to the election of an Assistant Messenger.

And the question being put "Will the House go into the election of an Assistant Messenger?" Was determined in the affirmative—Yeas 12, Nays 11.

The Yeas and Nays being desired by Mr. Leffler,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Whitaker and Lewis, Speaker—12.

Those who voted in the negative were, Messrs. Blair, Felkner, Grant, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole and Wilson—11.

Mr Patterson nominated B. W. Gillock.

Mr. Porter nominated James McCaulley.

Messrs. Robertson and Whitaker were appointed tellers.

Upon counting the ballots it was found that B. W. Gillock had received a majority of all the votes given, and was declared duly elected Assistant Messenger.

Mr. Porter offered the following:

Resolved, That the Post Master of this city be authorized to employ some suitable person to carry a mail, weekly, from this city to Keosauqua, via Washington in Washington county, Trenton, Mount Pleasant, and Salem in Henry county; also, the Post Master at Dubuque be authorized to employ some suitable person to carry a mail weekly, from Dubuque to this city on the National Road, and that the Post Master General be memorialized to pay the expenses that may be incurred under this resolution.

Which upon motion of Mr. Biggs, was laid upon the table.

On motion of Mr. Biggs,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

On motion of Mr. Toole,

Resolved, That the Chief Clerk of this House be directed to make arrangements with the Post Master of this city for the payment of all postage on letters and papers sent to and from this House during the present session.

On motion of Mr. Felkner,

Ordered, That the House proceeed to the election of a Fireman.

Messrs. Blair and Biggs were appointed tellers.

Mr. Felkner nominated Wm. Abbe.

Mr. Quinton nominated Mr Lyons.

Mr. Robertson nominated John Wilson.

Mr. Moss nominated John Fury.

Upon counting the ballots it was found that Mr. Abbe had received a majority of all the votes given and was therefore declared duly elected.

On motion of Mr. Biggs,

The several officers elect came forward and were sworn into their respective offices.

On motion of Mr. Robertson,

Ordered, That a Committee of two members be appointed to wait upon the Council and inform that body that the House is now organized and ready to proceed to business, whereupon the Speaker appointed Messrs. Robertson and organ said Committee.

On motion of Mr. Whitaker,

Ordered, That the Chief Clerk give the officers the necessary instructions to aid them in the performance of their respective duties.

Mr. Quinton offered the following:

Resolved, That the officers receive as a compensation for their services the following sums, to-wit:

The Chief Clerk four dollars per day;

The Assistant Clerk three dollars per day;

Enrolling, Engrossing, and Recording Clerk, Sergeant-at-Arms, Door-Keeper, Assistant Door-Keeper, Messenger, Assistant Messenger, and Fireman two dollars and fifty cents per diem each, which

On motion of Mr. Biggs, was laid on the table.

Mr. Biggs offered the following:

Resolved, That the Chief Clerk be required to contract with the Editors of the "Iowa Capitol Reporter" for the incidental printing of this House.

A motion was made by Mr. Grant to strike out the words "Chief Clerk" and insert the words "Committee of three whose duty it shall be" &c., which was lost.

A motion was made by Mr. Leffler to amend said resolution by striking out the word "contract" and inserting the word "employ" which motion being accepted by Mr. Biggs the resolution was adopted.

Mr. Felkner offered the following:

Resolved, That the Chief Clerk furnish each member of this House with thirty copies, weekly of such newspaper or newspapers published in this city as they may direct.

A motion was made by Mr. Leffler to amend said Resolution by striking out the word "thirty" and inserting the word "twenty" which motion being accepted by Mr. Felkner the resolution was adopted.

On motion of Mr. Robertson,

Resolved, That the following be the standing Committees of this House:

On the Judiciary;
" Common Schools;
" Internal Improvements;
" Claims;
" Military Affairs;
" Enrolled Bills;
" Engrossed Bills;
" Expenditures;

" Territorial Affairs;
" Roads and Highways;
" Corporations;
" Townships and County Boundaries,
" Public Buildings;

A motion was made by Mr. Biggs to take from the table the resolution authorizing the Post Master of this city to establish a weekly line of stages leading from this place to Keosauqua, &c. Pending which

On motion of Mr. Felkner,

The House adjourned until to-morrow morning at 10 o'clock.

Wednesday Morning, December 8, 1841.

On motion of Mr. Robertson,

Thomas Denson, member elect from the counties of Cedar, Linn and Jones, was qualified and permitted to take his seat.

The Speaker announced the following named gentlemen to compose the several standing Committees:

On the Judiciary—Messrs. Grant, Leffler, Morgan, Moss and Weld.

On Common Schools—Messrs. Leffler, Biggs, Smead, Holliday and Toole.

On Internal Improvements—Messrs. Baker, Wilson, Whitaker, Porter and Blair.

On Claims—Messrs. Biggs, Robertson, McCulloch, Felkner and Moss.

On Enrolled Bills—Messrs. Hepner and Toole.

On Engrossed Bills—Messrs. Hebard and Morgan.

On Expenditures—Messrs. Quinton, Higginson, Grant, Denson and Biggs.

On Territorial Affairs—Messrs. Booth, Porter, McCulloch, Blair and Patterson.

On Corporations—Messrs. Felkner, Wilson, Campbell, Baker and Higginson.

On Roads and Highways—Messrs. Patterson, Higginson, Denson, Porter and Biggs.

On Townships and County Boundaries—Messrs. Robertson, Smead, Whitaker, Toole and McCulloch.

On Public Buildings—Messrs. Hepner, Booth, Felkner, Denson and Patterson.

On Military Affairs—Messrs. Morgan, Patterson, Porter, Hepner and Quinton.

Mr. Robertson presented the petition of sundry citizens of Scott and Clinton counties, asking a charter to be granted to Perriander Pollock and others, authorizing them to build a dam across the Wapsipinicon river; which was, on motion, referred to the Committee on Roads and Highways.

Mr. Felkner presented the petition of sundry citizens of the Territory in relation to the practice of selling ardent spirits to the Indians; which was referred to the Committee on the Judiciary.

Mr. Smead presented the petition of sundry citizens of Henry co., asking the passage of a law to incorporate the town of Mount Pleasant; which was referred to the Committee on Corporations.

On motion of Mr. Whitaker,

Ordered, That a Committee of three be appointed to examine the recording of the Journals and make report of the same daily to this House:

Whereupon Messrs. Whitaker, Moss and Smead were appointed said Committee.

On motion of Mr. Wilson,

Ordered, That the Secretary of the Territory be requested to furnish each member of this House with a copy of the Statutes of this Territory.

Messrs. Greene and Wallace, a Committee from the Council, were announced, and informed the House that the Council were now organized and ready for business.

On motion of Mr. Biggs,

Ordered, That a Committee of three be appointed to revise the standing rules which have been temporarily adopted for the government of this House, and that they be required to report on to-morrow:

Whereupon Messrs. Biggs, Hepner and Leffler, were appointed said Committee.

On motion of Mr. Robertson,

Resolved, That a Committee of two members of the House be appointed to act with a corresponding Committee on the part of the Council, to wait upon his Excellency the Governor and inform him that the two Houses are now organized and ready to receive any communication he may have to make them.

Messrs. Robertson and Patterson were appointed said Committee.

A Message from the Council by Mr. Woods, their Secretary:

Mr. Speaker—The Council have appointed Messrs. Springer and Bailey a Committee to act in conjunction with a Committee from the House of Representatives to wait upon the Governor of the Territory for the purpose of informing him that the Legislature is duly organized and ready to receive any communication from him.

And then he withdrew.

On motion of Mr. Grant,

Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the criminal code and the act of criminal proceedings, and report the same to this House by bill or otherwise.

A Message from the Ceuncil by Mr. Woods, their Secretary:

Mr. Speaker—The Council have appointed a Committee of three, consisting of Messrs. Browne, Hastings and Bainbridge, to act in conjunction with a Committee of the House of Representatives in framing the necessary Rules for the government of the intercourse of the two Houses.

And then he withdrew.

On motion of Mr. Hepner,

Ordered, That a Committee be appointed to act in compliance with the message just received from the Council.

Messrs. Hepner, Booth and Grant were appointed.

Mr. Felkner offered the following:

Resolved, That the Methodist Episcopal Society have the privilege of occupying this Hall on Sabbaths during this session;

Which, upon motion of Mr. Hepner, was laid on the table.

Mr. Patterson offered the following:

Resolved, That the Governor, Secretary, members of the Council, Judges of the Supreme Court, members of the former Council and House of Representatives, Ministers of the Gospel and all Editors of the different papers of this Territory, be allowed to take seats within the bar of this House.

A motion was made by Mr. Moss, that the same do lie upon the table.

And the question being put, was determined in the negative—Yeas 4, Nays 20.

The Yeas and Nays being desired by Mr. Patterson,

Those who voted in the affirmative were,

Messrs. Baker, Holliday, Moss and Toole.

Those who voted in the negative were,

Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hepner, Higginson, Leffler, McCulloch, Morgan, Patterson, Porter, Quinton, Robertson, Smead, Whitaker, Wilson and Lewis, Speaker.

So the motion to lay the resolution on the table was lost.

The question then recurring on the adoption of the same, and being put was determined in the affirmative.

A Message from the Governor was received by the hand of the Secretary of the Territory which was read at the Clerks' table as follows, to wit:

Fellow-Citizens, of the Council, and of the House of Representatives:

It is gratifying to me that on meeting you at this time, I am enabled to congratulate you upon the general prevalence of health among the people of the Territory during the past and present seasons, and upon the rapid increase of our population and steadily advancing improvement of our fertile and beautiful country. Abundance has crowned the labor of the husbandman, and already commerce is coming to his aid and affording a market for the surplus production of our agriculture. For these good and gracious gifts of the Beneficient Being, to whom we are indebted for them, it is our duty sincerely to manifest our gratitude and thankfulness.

Coming, as you do, from every organized county of the Territory, bringing with you an intimate knowledge of the wants and wishes of your constituents, I do not deem it necessary to enter into a detailed recommendation of subjects of legislation requiring your attention; and I consider it the less important to do so, because the time is near at hand when, having assumed a permanent form of government and settle the fundamental principles by which our future legislation will be governed, its enactments will be made to conform to those principles and become less subject to change. I will, however, in conformity to usage, avail myself of this occasion, respectfully, to call your attention to some of the subjects which seem to me worthy of your consideration at this time. Among these, the one which strikes me as of paramount importance, is the legislation necessary to the ascertainment of the wishes of the people of the Territory, touching our admission into the Union of the States, as one of the confederates, in the duties and obligations of the National Government. A recent reference of this subject to the people eventuated in the expression of the unwillingness of a very considerable majority, to take upon themselves, at that time, the duties and responsibilities of a State Government; but the rapid increase of our population, and the recent legislation of Congrress in relation to the future disposition of the proceeds of the sales of the public lands, will present the subject in a new aspect, and may produce a change of public sentiment upon it. I would, therefore, recommend that it be again submitted to the consideration of the people by a legislative provision requiring an expression of their wishes through the ballot-box, that their representatives may be enabled to act upon this important matter at the next session, in conformity to their clearly ascertained will.

Assembling in conformity to the proclamation of my predecessor in office, at the established seat of government, where the erection of a very important part of the public buildings is in progress, you will be enabled to satisfy yourselves by a personal inspection, whether the execution of the work and its advance towards completion, is such as the means put at the disposal of the superintendent, authorized you to expect. You will find from the report of the Territorial Agent, that a considerable debt has been incurred in providing the means for carrying up the Capitol as far as it has progressed, and will be enabled to determine whether further provision will be necessary to meet existing demands, and for completing the building, or whether the provision already made will be adequate to the accomplishment of the object in such reasonable time as will meet public expectation.

It not having been made the duty of any of the officers connected with the erection of the Penitentiary, to report to the executive department, I can only inform you that from a personal inspection of the work, last summer, it appeared, as far as it had progressed, to be well and substantially executed; but the progress is not commensurate to the necessity for its completion. This proceeds from a want of means to carry it on, and I would recommend an earnest appeal to Congress for such an appropriation as will enable us speedily to complete a work so necessary to prevent this Territory from becoming the refuge of a large portion of the most corrupt and vicious population of the States. Our very limited sources of revenue and the relation in which we stand to the General Government entitle us to demand at its hands, the means of protecting ourselves from so great an evil.

Some disappointment has been felt from the failure of a recent attempt by Commissioners appointed by the President, to obtain from the Sac and Fox Indians a cession of the lands they claim in this Territory. I, however, confidently hope, that when the causes which produced that failure are understood by the President, measures will be promptly adopted to remove them, and that there will be less delay in opening the most desirable portion of their country to emigration, than would have resulted from their acceptance of the terms proposed to them in the recent negociation. But it is probable that for a long time we shall remain subject to the evils and inconveniences of having an Indian population on our borders—evils and inconveniences resulting principally from their excessive and growing fondness for intoxicating drink, with which they are supplied by a vicious portion of our citizens, who, defying alike the laws of morality and of their country, furnish them the means of degradation and destruction, with a full knowledge and perfect disregard of its murderous effects upon them. To this infamous practice these unfortunate people without exception of age or sex, are rapidly falling victims. Humanity shudders and Religion weeps, over the cruel and unrelenting destruction of a race of people so interesting, by means so dastardly and brutal, that the use of the rifle and the sword, even in a time of profound peace with them, would be comparatively merciful. Their indolent habits and aversion to labor, render them peculiarly fond of artificial excitement; and when absent from the chase, they will seek it in the form of intoxication, at the expense of every comfort and every necessary they possess, their horses, their guns, and their blankets are unrelentingly taken from them, in exchange for the intoxicating draught, and on terms as revolting to a sense of fair dealing, as the effects of it are to humanity and christian benevolence. The provision made by our statue on this subject seems to be ineffectual. I cannot learn that any convictions have been had under it; the pecuniary infliction provided by it, is disregarded, and the offence continues to be perpetrated with impunity, and is increasing, the proffits of it always affording a sure indemnity against the risk of conviction. I would, therefore, recommend such an amendment of the existing law on the subject, as will add imprisonment to the existing penalty, and will strictly prohibit all white persons from purchasing any article of property from an Indian, without the written permission of the Agent appointed by the Government to take care of them, making the possession of property derived from an Indian, prima facie evidence of its having been obtained in violation of the law; and it seems to me it would be well to require persons found in possession of spirituous liquors, near the border and under circumstances conducing to prove their object to be to sell to the Indians, to enter into recognizance with sufficient security, to be of good behavior, and making an infraction of the laws on the subject, a cause of forfeiture of the penalty. It is believed the moral law abiding portion of our citizens derive no pecuniary advantage from a trading intercourse with the Indians, which they would not most willingly forego, to save them from the injuries inflicted by the vicious.

There is a very industrious and valuable class of our population, who conscientiously scruple to bear arms, in whose favor there is no exemption provided by our Militia Law; I would recommend that provision be made for such cases; leaving them subject in time of war to pay an equivalent for personal service.

The plan of Public Instruction provided by the laws of the Territory has been but very partially brought into operation, whether from a debt in the system or from inattention on the part of the persons to whom the duties of organizing the Township Schools has been assigned, or both, you will probably be able to judge from the report of the Superintendent. I most earnestly recommend the subject to your consideration. If the system is defective it ought to be promptly altered or amended; and if those to whom the duty of carrying it into effect has been committed, cannot be induced to act under the existing provisions of the law, others should be adopted of sufficient force to ensure the performance of every duty necessary to bring it into successful operation. The subject is one upon which no delay or neglect in any department of the government, or on the part of any persons concerned in the administration of the laws for its regulations, ought to be tolerated.

The experience of the past season, has continued to demonstrate to the States and Territories interested in the commerce and navigation of the Mississippi, and particularly to that portion of them lying above and between the Des Moines and the Rock Island Rapids, the vast importance of a removal of these impediments to safe navigation. To the rapidly increasing agriculture of this Territory, to the exportation of its valuable mineral productions, as well as to imports, the injury occcasioned by these obstructions is of great magnitude, subjecting us, (in a navigation of between two and three hundred miles) to an increase of from one to three hundred per cent upon the amount usually paid between New Orleans and St. Louis, and other towns below the lower rapids. But the evil is not confined to the very heavy tax imposed upon our exports and imports; an immense amount of property is annually wrecked and totally lost on these rapids—an amount which it is believed if added to the increased price of freights, occasioned by them, would, within the present and past years, have been almost sufficient to make a perfect canal through the whole extent of both of them. It is difficult to conceive a reason for the application of the national treasures to the protection and security of the foreign commerce and coasting trade of the country, in the Harbours, Bays, and Rivers on our Atlantic borders and on the Lakes, (for which millions have been expended,) which will not apply with equal force in favor of an expenditure of a few hundred thousand dollars, for permanently removing, comparatively slight obstructions in the navigation of one of the noblest rivers in the world. Believing that as citizens of the United States, contributing our just proportion of its revenues, we have a claim upon the government for relief from the evil thus briefly brought to your notice. I recommend a respectful but earnest appeal to Congress in behalf of your constituents, for such an appropriation for the removal of the obstructions alluded to, as will effectually protect the commerce of the Upper Mississippi against the losses and impositions to which it is now subjected from causes so easily removed by a proper application of the national means.

I have recently received a letter from the Governor of Missouri, on the subject of the boundary between that State and this Territory, in which he proposes the submission of the matter in controversy to the decision of the Supreme Court of the United States, upon a statement of facts, in the nature of an agreed case, which letter with a copy of my answer to it, is herewith submitted for your consideration.

The excess of expenditure in former years over and above the appropriations made by Congress for the support of the Territorial Government, has given rise to a debt of between eight and ten thousand dollars, which, justice to the individuals to whom it is due, requires should in some way be provided for, and which with the reduced amount of the appropriation for the present year admonishes us of the necessity of strict economy in the administration of the fund put at our disposal by the General Government.

I am, Very Respectfully,
Your Ob't. Serv't.
JOHN CHAMBERS.

APPENDIX.

(1.)

EXECUTIVE DEPARTMENT,
City of Jefferson, November 10, 1841.

To His Excellency,
The Governor of Iowa Territory:

SIR—The General Assembly of Missouri, for the purpose of having the question of boundary between the Territory of Iowa and this State finally adjudicated in the Supreme Court of the United States, passed an act, at the last session, directing me to cause suit to be instituted in behalf of Uriah S. Gregory, the late Collector of Clark county, Missouri, against the persons that arrested and imprisoned him while in the discharge of his duties.

I have ascertained that the Sheriff of Van Buren county, who, with others, arrested him, resides in the Territory of Iowa; consequently any suit commenced against him will have to be commenced in that Territory. The object of this communication is to ascertain whether, if suit is thus commenced, the authorities of Iowa will cause to be made such an agreed case, on the record, as will ensure a decision of the Supreme Court of the United States on the qustion of boundary. I imagine the only controverted fact is that of boundary. This being the case I see no reason, as it is desirable that the question *should* be speedily and finally decided by a competent tribunal, why all the necessary facts might not be agreed. If your Excellency concur with me in this view, the Counsel on the part of this State will be instructed to *agree* the case in such form as will present the question of the boundary.

I desire to hear from you as early as will suit your convenience.

I have the honor to be, sir,
Your obedient servant,
(SIGNED) TH. REYNOLDS.
Governor of Missouri.

(2.)

Executive Office,
Burlington, Iowa Territory, Nov. 20, 1841.

Sir:—I have had the honor to receive your Excellency's letter of the 10th instant, advising me of the existence of an Act of the General Assembly of your State, directing you "to cause suit to be instituted in behalf of Uriah S. Gregory, late Collector of Clark county Mo., against the persons that arrested him in the discharge of his duties for the purpose of having the question of boundary between this Territory and Missouri finally adjudicated in the Supreme Court of the United States, and as the persons proposed to be sued, reside in this Territory, you propose to ascertain whether "the authorities of Iowa will cause to be made such an agreed case on record, as will ensure a decision of the Supreme Court of the United States on the question of boundary." That question it seems to me, is one over which the Territorial authorities of Iowa have no control, the boundary of the Territory as described by law, gives limits to the exercise of jurisdiction on the part of the Territorial Government, and prescribes the local extent of its obligations to protect those who claim to be citizens of this Territory, but by an express reservation in the law organizing the Territory of Iowa, the boundary remains subject to the future control of Congress, and at the discretion of that body any portion of the country within the limits of the Territory, may be constituted a separate and distinct Government, or be attached "to any other State or Territory of the United States." If I am correct in this view of the subject, it follows that no agreement or statement of facts which the Territorial authorities could enter into, would authorize the Supreme Court to take cognizance of the question of boundary, which it is the object of the act of your legislature to have settled by an adjudication of that Court, or render its decision, if it should do so, obligatory upon the Government of the United States, or control its legislation in prescribing a boundary for any future State or Territory, which it might think expedient to form within the present limits of Iowa. I doubt too, whether, under the Constitution of the United States, the Supreme Court could, even upon a case agreed and by consent of the parties, take jurisdiction of an alleged controversy between one of the States and a *Territory*, remaing subject to the legislation of Congress. With these views, it only remains for me to submit your Excellency's communication to the Legislative Assembly of the Territory at its next session, and if the views of that body should differ from those I entertain on the subject, its decision shall be immediately made known to you.

I have the honor to be,
Your most ob't. serv't.
JOHN CHAMBERS,
Governor of Iowa.

His Excellency,
Thomas Reynolds,
Jefferson City, Mo.,

On motion of Mr. Moss,

Ordered, That the Message of the Governor, with the accompanying documents, be laid upon the table and one thousand copies of the same be printed for the use of the members of this House.

A motion was made by Mr. Felkner, to reconsider the vote of yesterday, taken on the resolution relative to the incidental printing.

Pending which, on motion of Mr. Porter,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Hepner presented the credentials of Alfred Hebard member elect from the county of Desmoines, who came forward, was qualified and permitted to take his seat.

The House resumed the consideration of the motion made by Mr. Felkner during the forenoon's session, to re-consider the vote of yesterday, taken on the resolution relative to the incidental printing, authorizing the Chief Clerk to employ the editors of the "Iowa Capitol Reporter," to do the same, &c.

And previous to the question's being put,

A motion was made by Mr. Hepner, that said motion do lie upon the table..

And the question being put, was determined in the affirmative—Yeas 13, Nays 12.

The Yeas and Nays being desired by Mr. Porter,

Those who voted in the affirmative were.

Messrs. Biggs, Booth, Campbell, Denson, Grant, Hepner, Leffler, McCulloch, Morgan, Patterson, Quinton, Whitaker and Lewis Speaker—13.

Those who voted in the negative were.

Messrs. Baker, Blair, Felkner, Hebard, Higginson, Holliday, Moss, Porter, Robertson, Smead, Toole and Wilson—12.

So the motion was laid upon the table.

On motion of Mr. Quinton,

Ordered, That the Ex-Governor and Ex-Secretary, be invited to take seats within the bar of this House.

Mr. Grant gave notice that he would, on Saturday next, or some subsequent day, ask leave to introduce a Bill for the purpose of taking preparatory measures for the organization of this Territory, into a a free and independent State.

Mr. Grant introduced No. 1, H. R. file, "A joint resolution to provide for the sale of the surplus copies of the statutes of this Territory."

Which was read a first time.

On motion of Mr. Wilson,

Ordered, That a select Committee of one member from each electoral district, be appointed to draft a memorial to Congress on the subject of mail routes in this Territory.

Whereupon, the Speaker appointed Messrs. Wilson, Campbell, Morgan, Robertson, Moss, Biggs, Quinton, Baker, Holliday and Denson, said Committee.

Mr. Quinton gave notice, that he would on Monday next, introduce a Bill to locate a Territorial road from Fairfield, in Jefferson county, to Keokuck, in Lee county.

On motion of Mr. Porter,

The resolution in relation to the carrying of the mail during the session from Iowa City to Keosauqua. &c.,

Was taken from the table and on leave, was withdrawn from the House.

Mr. Porter introduced No. 2. H. R. file, "A joint resolution relative to the carrying of the mail during this session, from Iowa City to Keosauqua, &c.

Which was read a first time and ordered to be printed.

On motion of Mr. Biggs,

Resolved, That the name of one of the standing Committees of this House, be changed from that of "common schools" to that of "public instruction."

On motion of Mr. Grant,

Ordered, That there be a standing Committee appointed on "agriculture."

Whereupon, The Speaker appointed Messrs. Grant, Hebard, Denson, Leffler and Wilson, said Committee.

Mr. Patterson gave notice that he would, on some future day, introduce a Memorial to Congress to procure a donation for a seminary of learning, at West Point, in Lee county.

Mr. Moss gave notice that he would, on some future day, introduce a "Bill to district the county of Jackson into County Commissioners' Districts."

On *motion of* Mr. Patterson,

The House adjourned until 10 o'clock to-morrow morning.

Thursday Morning, Dec. 9, 1841.

Mr. Grant presented the petition of sundry citizens of Scott County, praying a law to be passed authorizing John Wilson to remove his steam ferry boat from the ferry across the Mississippi river at the town of Davenport, until the same should be found useful and necessary at said ferry, which was read and laid upon the table.

On motion of Mr. Robertson,

Ordered, That a Committee of one member from each electoral district be appointed to draft a memorial to Congress, upon the subject of an appropriation to remove the obstructions at the Rapids in the Mississippi river.

Whereupon, The Speaker appointed Messrs. Robertson, McCulloch, Blair, Smead, Quinton, Baker, Denson, Booth and Moss, said Committee.

On motion of Mr. Toole,

Resolved, That the select Committee appointed to introduce a memorial to Congress on the subject of mail routes, be requested to inquire into the expediency of asking in said memorial for the location of a mail route from Iowa City to Burlington, via Columbus City.

On motion of Mr. Grant,

Ordered, That the Committee on the judiciary be instructed to inquire into the expediency of amending the Act fixing the time of holding the district courts in the several counties in the third judicial district, and that said Committee report to this House by Bill or otherwise.

Mr. Biggs, from the select Committee to which was referred a resolution directing a revision of the standing rules, reported that they had had the same under consideration, made sundry amendments thereto, and asked the concurrence of the House.

The amendments were then severally read, and being under consideration, a motion was made by Mr. Leffler to amend the 4th amendment, Rule 59, which Reads "all bills, memorials, &c. shall be printed, unless otherwise ordered by the House," by inserting the words, "of a general nature" after the words "memorials, &c."

And the question being put, was determined in the negative—Yeas 10, Nays 14.

The yeas and nays being desired by Mr. Hebard, those who voted in the affirmative were Messrs. Blair, Denson, Felkner, Grant, Hebard, Leffler, Patterson, Porter, Robertson and Toole—10.

Those who voted in negative were Messrs. Biggs, Booth, Campbell, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Quinton, Smead, Whitaker, Wilson and Lewis Speaker—14.

So the motion was lost.

A motion was made by Mr. Grant to amend said amendment by striking out the words "daily journal shall be printed in pamphlet form."

And the question being put, was determined in the negative—Yeas 8, Nays 16.

The yeas and nays being desired by Mr. Higgingson, those who voted in the affirmative were Messrs. Felkner, Grant, Hebard, Holliday, Porter, Robertson, Toole and Wilson.

Those who voted in the negative were Messrs. Biggs, Blair, Booth, Campbell, Denson, Hepner, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Quinton, Smead, Whitaker and Lewis, Speaker.

So the motion was lost.

The question was then put on concurring in the report of the Committee and determined in the affirmative.

No. 1, H. R. File, "A Joint Resolution to provide for the Sale of the surplus copies of the Statutes of this Territory," was read a second time, and,

On motion Mr. Hepner,

Referred to the Committee on Territorial Affairs.

A Message from the Council, by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed a Joint Resolution authorizing the Secretary of the Territory to effect a loan of money to pay the members of both branches of the Legislature their mileage in travelling to the seat of government, and ask the concurrence of the House therein. And then he withdrew.

Mr. Hepner from the Committee appointed to act with a similar Committee on the part of the Council, to prepare joint rules regulating the intercourse between the two Houses, reported the rules of the last session, which were adopted.

Mr. Whitaker from the Committee appointed to examine the recording of the Journals, reported that they had found the Journal recorded in a fair round hand, with a slight mistake, which was corrected by the Committee.

Mr. Robertson gave notice that he would on some subsequent day hereafter, ask leave to introduce a memorial to Congress, asking an appropriation to construct a military road from Davenport, in Scott county via Tipton, in Cedar county, Iowa City in Johnson county, to the Western boundary of the Territory.

No. 2, H. R. File, "A Joint Resolution relative to the carrying of the mail from Iowa City to Keosauqua, &c.," was read a second time.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the whole House, for the consideration of said resolution.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Biggs reported, that the Committee had, according to order, had the same under consideration, and instructed him to report the same with amendments. To which the House agreed.

On motion of Mr. Porter,

Ordered, That the 44th rule be suspended, and the resolution be read a third time now.

The resolution was then read a third time, and previous to the question's being put on the passage of the same,

A motion was made by Mr. Hepner, That the resolution be committed to the Committee on Territorial affairs.

And the question being put was decided in the negative—Yeas 8, Nays 16.

The Yeas and Nays being desired by Mr. Hepner,

Those who voted in the affirmative were, Messrs. Grant, Hebard, Hepner, McCulloch, Morgan, Patterson, Robertson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Higginson, Holliday, Leffler, Moss, Porter, Quinton, Smead, Toole, Whitaker, and Wilson.

So the motion to commit was lost.

The question was then taken on the passage of the resolution, and determined in the affirmative—Yeas 21, Nays 3.

The Yeas and Nays being desired by Mr. Hepner,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Porter, Quinton, Robertson, Smead, Toole, Whitaker, Wison, and Lewis Speaker.

Those who voted in the negative were, Messrs. Hebard, Hepner, and Patterson. So the resolution passed.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Toole,

Ordered, That 60 copies of the standing and joint rules be printed for the use of this House.

On motion of Mr. Leffler,

The House adjourned.

Friday Morning, December 10, 1841.

Mr. Wilson presented the petition of sundry citizens of the town of Salem, in Henry county, asking the Legislature to Memorialize Congress to fix the northern boundary of the future State of Iowa at the latitude of 43½ degrees, and extending from the Mississippi to the Missouri river.

Ordered, That said petition be referred to Committee on Territorial Affairs.

Mr. Whitaker, from the Committee appointed to examine the recording of the Journals, reported the same to be correct as far as the work had progressed.

"A Joint Resolution authorizing the Secretary of the Territory to effect a loan of money to pay the members of both branches of the Legislative Assembly their mileage in travelling to the Seat of Government," as reported from the Council, was taken up and read a first time.

On motion of Mr. Toole,

Ordered, That the 44th rule be suspended, and the Resolution be read a second time now.

The resolution was then read a second time; and,

On motion of Mr. Toole,

The words "and from" were inserted after the word "to," so as to read "in travelling to and from the seat of government."

On motion of Mr. Porter,

Ordered, That the 44th rule be again suspended, and the resolution be read a third time now.

The Resolution was then read a third time and passed.

Ordered, That the Clerk acquaint the Council therewith.

A message was received from the Governor by the Secretary, which was read at the Clerk's table, and is as follows:

Executive Office, I. T. Dec. 9, 1841.

To the Council and House of Representatives:

Gentlemen:—An application to execute deeds of conveyance to some of the purchasers of lots in Iowa City, has drawn my attention to the several legislative acts which relate to that subject; and upon a comparison of their provisions, I find that by the 3d section of the act of the 17th of January, 1840, entitled "An act to provide for the execution of title deeds to lots in the City of Iowa," it is provided, that "whenever the purchase money shall be paid up in full, for the purchase of any lot or lots in the City of Iowa, and as soon as the title to said lots is bona fide obtained from the General Government, the acting Commissioner shall make out the requisite title deeds to the purchaser or purchasers for the same, in conformity with the certificate of purchase to be signed by the Governor and the seal of the Territory affixed thereto, and countersigned and acknowledged by the said acting Commissioner, (see page 111, acts 1840;) And by the 6th section of the act of 24th July, 1840, entitled "An act directing the valuation and sale of lots in Iowa City, and to provide for executing deeds for the same," it is enacted "that whenever full payment shall have been made for any lot or lots in Iowa City, the acting Commissioner of public buildings shall give to the person or persons entitled thereto, a certificate of final payment for the same;" and by the 7th section of the same act, it is provided "that whenever any certificate of final payment for lots in Iowa City shall be presented to the Secretary of the Territory, he shall file the same in his office and make out a deed of conveyance in accordance with such certificate, which deed of conveyance shall be sealed with the seal of the Terrritory, signed by the Governor, and countersigned by the Secretary of the Territory, and when thus executed, shall convey to the grantee a title in fee simple to the lots therein described;" and by the 8th section of that act, it is made the duty "of the Secretary of the Territory to keep a record in his office of all deeds of conveyance *made out by him* under the provisions of this act." It repeals "all acts and parts of acts that are in contravention" of its provisions, (see page 6, acts of July session 1840.)

By the 17th section of the act of January 10th 1841, entitled "an act providing for the appointment of a superintendent of public buildings at Iowa City, and the appointment of a Territorial Agent and for other purposes," it is provided "that the duties required by the third section of "an act entitled an act to provide for the execution of title deeds to lots in Iowa City, and for other purposes," shall hereafter be performed by the Territorial agent," &c. (See page 61, acts of 1840-41)

The effect of this last act is to revive the third section of the act of the 17th January 1840, requiring the superintendent (or now in his stead the Territorial agent) upon the receipt of full payment for any lot, to make out and countersign a deed of conveyance for it, to the purchaser, to be signed by the Governor, and the revival of that section in effect defeats the provision of the act of July 1840, requiring the certificates of payment to be filed in the office of the Secretary of the Territory, and the deeds *to be made out by him*" to be recorded in his office. It seems probable that the revival of the third section of the act of January 1840, was made without adverting to the provisions of the act of July of that year, and as it removes that salutary check upon the agent which requires his certificates of payment to be filed with another officer of the Government, and leaves the holders of deeds for lots in the city without any provision for recording them, I would respectfully submit to your consideration the propriety of such a modification of these laws, as will restore the provisions of the act of July 1840, or require the filing of the certificates of payment in some one of the public offices, other than that from which they emanate and direct the title deeds to be recorded.

Respectfully,
Your ob't. serv't.
JOHN CHAMBERS.

On motion of Mr. Leffler,

Ordered that said message be referred to the Committee on the Judiciary.

On motion of Mr. Toole,

The annual message of the Governor was taken from the table and referred to a Committee of the whole House for the consideration of the same.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Leffler reported that the Committee had, according to order, had the said message under consideration, and directed him to report the same back to the House.

Said message then being under consideration,

A motion was made by Mr. Hepner,

That the first paragraph relative to the formation of a State Government, be referred to the Committee on Territorial Affairs; To which the House agreed.

On motion of Mr. Leffler,

Ordered, That that part of the Governor's messsage relative to the Capitol and the Penitentiary, be referred to the Committee on Public buildings.

On motion of Mr. Porter,

Ordered, That that portion of the Governor's message which relates to the recent failure to make a purchase of the Sac and Fox Indians, be referred to the Committee on Territorial Affairs, with instructions to report a Memorial to Congress asking for every necessary step to be taken for the extinguishment of the title of the above named Indians to any portion of their lands that they are willing to part with.

On motion of Mr. Moss,

Ordered, That that part of the Governor's message which relates to the trade and intercourse between the whites and Indians, be referred to the Committee on the Judiciary.

On motion of Mr. Quinton,

Ordered, That that part of the Governor's message which relates to the militia law, be referred to the Committee on Military Affairs.

On motion of Mr. Leffler,

Ordered, That that part of the Governor's message which relates to common schools, be referred to the Committee on Public Instruction.

On motion of Mr. Robertson,

Ordered, That that part of the Governor's message, which relates to the improvement of the Rapids in the Mississippi river, be referred to the select Committee heretofore appointed to draft a Memorial to Congress in relation to the same.

On motion of Mr. Biggs,

Ordered, That so much of the Governor's message as relates to the boundary line between Missouri and Iowa, with the accompanying documents, be referred to the Committee on the Judiciary.

On motion of Mr. Hepner,

Ordered, That so much of the Governor's message as relates to Expenditures, be referred to the Committee on Expenditures.

Mr. Whitaker gave notice that he would on some future day ask leave to introduce a Bill to reduce and regulate the fees of county officers.

Also, a Bill defining a lawful fence.

A motion was made by Mr. Felkner to take from the table, his motion made a few days since,. to reconsider the vote authorizing the chief clerk to employ the Editors of the Iowa Capitol Reporter to do the incidental printing of the House;

Previous to which a call of the House was had—and the roll being called, those members who failed to answer to their names, were Messrs. Baker and Grant.

The Sergeant-at-Arms was then directed to require the attendance of the absentees. After a short time, the absentees appearing.

A motion was made by Mr. Biggs that the Sergeant-at-Arms be sent for Mr. Weld, member elect from Van Buren county, Pending which,

A motion was made by Mr. Patterson, That the House do now adjourn.

And the question being put, Was determined in the negative—Yeas 11, Nays 14.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Patterson, Quinton, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the motion to adjourn was lost.

The question then recurring on the motion made by Mr. Biggs, that the Sergeant-at-Arms be sent after Mr. Weld.

And being put. Was decided in the negative.

On motion of Mr. Felkner,

The further call of the House was suspended.

A motion was made by Biggs, That the House do now adjourn.

And the question being put, was determined in the negative—Yeas 11, Nays 14.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Patterson, Quinton, Whitaker, and Lewis Speaker.

Those who voted in the negative were, Messrs. Baker, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, Moss, Porter, Robertson, Smead, Toole and Wilson.

The question then recurred on the motion made by Mr. Felkner, to take from the table his motion to re-consider the vote authorizing the

Chief Clerk to employ the editors of the "Iowa Capitol Reporter" to do the incidental printing, &c.

And being put, was determined in the affirmative.

A motion was made by Mr. Hepner, That the House do now adjourn.

And the question being put, was determined in the negative.

The question was then put on re-considering the vote given on the resolution relative to the Printing;

And decided in the affirmative.

Mr. Felkner then offered the following as a substitute for said Resolution.

Resolved, That N. Jackson, editor of the Iowa City Argus, be employed to do the incidental printing of this House.

A motion was made by Mr. Biggs, To amend the substitute, by striking out the words "N. Jackson, editor of the Iowa City Argus," and inserting the words "Editor of the Iowa City Standard."

And the question being put, was determined in the affirmative.—Yeas 15, Nays 10.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Campbell, Denson, Hepner, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Whitaker, and Wilson.

Those who voted in the negative were, Messrs. Baker, Booth, Felkner, Grant, Hebard, Higginson, Holliday, Quinton, Toole, and Lewis, Speaker.

So the amendment was agreed to.

On motion of Mr. Toole,

The House adjourned.

Saturday Morning, Dec. 11, 1841.

Mr. Quinton presented the credentials of Oliver Weld, member elect from the county of Van Buren, who came forward, was sworn and permitted to take his seat.

Mr. McCulloch presented the petition of sundry citizens of Lee county, praying the establishment of a Territorial road, leading from the landing on the Des Moines river, opposite St. Francisville, Missouri; by Franklin to West Point, in Lee county:

A Message from the Council by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed with amendments, No. 2, H. R. File, entitled "A Joint Resolution relative to the carrying of the mail from Iowa City to Keosauqua, &c.

In which the concurrence of the House is requested.

And then he withdrew.

Mr. Quinton offered the following:

Resolved, That the Committee on public instruction be instructed to inquire into the expediency of Memorializing Congress upon the subject of the sale of the sixteenth section of land reserved for common school purposes.

And the question being put on the adoption of the same,

It was determined in the negative.

Mr. Booth from the Committee on Territorial affairs, to which was referred the resolution authorizing the Secretary of the Territory to sell surplus copies of the acts of the several sessions of the Territorial Legislature, reported that the Committee had had the same under consideration, and instructed him to report the same with sundry amendments.

Mr. Robertson gave notice that he would on Monday next, or some day hereafter, ask leave to introduce a Bill directing and regulating the valuation of real estate, when under execution.

The House resumed the consideration of the resolution relative to the incidental printing.

Mr. Robertson moved a call of the House, which was had, and the roll being called, those members who failed to answer to their names were Messrs. Baker and Grant.

After a short time the absentees appearing, a further call of the House was,

On motion of Mr. Felkner,

Suspended.

The question then recurring on the adoption of the substitute as amended, and being put, was determined in the negative—Yeas 10, Nays 16.

The Yeas and Nays being desired by two members.

Those who voted affirmative were, Messrs. Blair, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Grant, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis Speaker.

So the substitute was lost.

The question then being on the adoption of the original resolution which reads as follows:

"Resolved, That the Chief Clerk be required to employ the editors of the Iowa Capitol Reporter, to do the incidental printing of this House. Pending which,

A motion was made by Mr. Felkner, To strike out the words "Iowa Capitol Reporter," and insert "Iowa City Argus."

Mr. Biggs called for a division of the question.

The question then being put on striking out the words "Iowa Capitol Reporter,"

Was decided in the negative—Yeas 13, Nays 13.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Baker, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were,

Messrs. Biggs, Booth, Campbell, Denson, Hepner, Leffler, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis Speaker.

So the motion to strike out was lost.

A motion was made by Mr. Felkner, that said resolution do lie upon the table until Monday next.

And the question being put,

Was determined in the affirmative—Yeas 19, Nays 7.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were,

Messrs. Baker, Biggs, Blair, Booth, Campbell, Felkner, Hebard, Hepner, Holliday, McCulloch, Morgan, Patterson, Porter, Quinton, Smead, Weld, Whitaker, Wilson and Lewis, Speaker.

Those who voted in the negative were,

Messrs. Denson, Grant, Higginson, Leffler, Moss, Robertson, and Toole.

So the resolution was laid upon the table until Monday next.

No. 2, H. R. File, "A Joint Resolution relative to carrying the mail from Iowa City, &c., being returned from the Council with amendments, was taken up, and

On motion of Mr. Porter,

The amendments were severally concurred in.

Mr. Biggs gave notice that on Monday, or some subsequent day, he would ask leave to introduce a Bill creating the office of County Auditor, and providing for the repeal of the laws now in force, authorizing the appointment of Clerks of the Board of County Commissioners Also,

A Bill to amend the laws now in force, providing for the assessment and collection of the revenue, so as to make the assessments by townships or districts and the collection by the County Treasurers.

Mr. Patterson gave notice that he would, on some future day, introduce a Bill to authorize Jason Wilson to build a dam across Skunk river, in Lee county.

Mr. Quinton gave notice that he would, on some day hereafter, introduce a memorial to Congress, asking the establishment of two additional Land Offices in Iowa, one at the town of Fairfield, in Jefferson county, and the other at Iowa City, in Johnson county. Also,

A Memorial to Congress asking the postponement of the sales of the public lands, until A. D. 1844.

On motion of Mr, Quinton,

Resolved, That John B. Newhall, be requested to furnish each member of this House with one copy of his Map and Sketches of Iowa, and the Secretary of the Territory be authorized to pay for the same.

Mr. Quinton gave notice that he would, on some day hereafter, introduce a Bill to amend the Stray Law.

On motion of Mr. Grant.

Ordered, That the delegation from Van Buren county, be added to the Committee on the judiciary, for the purpose of taking under consideration that part of the Governor's message which relates to the boundary between Missouri and Iowa.

On motion of Mr. Biggs,

The House adjourned.

Monday Morning, December 13, 1841.

Mr. Hepner from the Committee on Enrollments, reported that they had examined and found correctly enrolled, and presented to the Governor for his signature on Saturday the 11th inst., "A Joint Resolution relative to carrying the mail from Iowa City to Keosauqua, &c.

Mr. Patterson, from the Committee on roads and highways, introduced No. 3, H. R. File, "A Bill to authorize Perriander Polloch and others, to erect a dam across the Wapesipenicon river."

Which was read a first time.

On motion of Mr. Patterson,

Ordered, That the printing of said Bill be dispensed with.

Mr. Robertson, in accordance with previous notice, introduced No. 4, H. R. File, "A Bill to amend an act subjecting real and personal estate to execution." Which was read a first time.

Mr. Patterson, agreeable to previous notice, introduced No. 5, H. R. File, "A Bill to authorize Jason Wilson to erect a dam across Skunk river, in Lee county." Which was read a first time.

Mr. Quinton in accordance with previous notice, introduced No. 6, H. R. File, "A Bill to locate a Territorial road from Keokuck, in Lee county, to Fairfield, in Jefferson county."

Which was read a first time.

Ordered, That the printing of said Bill be dispensed with.

The resolution relative to the incidental printing being the order of the day, was taken up and being under consideration,

Mr. Felkner moved a call of the House,

Which was had, and the roll being called, all the members answered to their names except Mr. Baker.

The Sergeant-at-Arms was then directed to require the attendance of the absentee.

A message in writing, was received from the Governor by the hand of the Secretary, which was received at the Speaker's table.

On motion of Mr. Felkner,

The absentee appearing, it was ordered that the further call of the House be dispensed with.

The question then recurring on the adoption of the resolution and being put,

Was determined in the negative—Yeas 13, Nays 13.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Biggs, Booth, Campbell, Denson, Hepner, Leffler, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis Speaker.

Those who voted in negative were Messrs. Baker, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Moss, Porter, Robertson, Smead, Toole and Wilson.

So the resolution was lost.

Mr. Felkner moved the following:

Resolved, That the editor of the Iowa City Argus be employed to do the incidental printing of this House.

And the question being put, will the House adopt the resolution?

Was determined in the negative—Yeas 13, Nays 13.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were.

Messrs. Baker, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were,

Messrs. Biggs, Booth, Campbell, Denson, Hepner, Leffler, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the resolution was lost.

Mr. Morgan offered the following:

Resolved, That the Chief Clerk of this House be authorized to employ some competent person or persons, to do the incidental printing of this House during the present session—the payment of the same being reserved to the discretion of this House.

And the question being put, Will the House adopt the Resolution?

Was determined in the affirmative—Yeas 19, Nays 7.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Leffler, McCulloch, Morgan, Moss, Patterson, Quinton, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Higginson, Holliday, Porter, Robertson, Smead, and Toole.

So the resolution was agreed to.

The message heretofore received from the Governor, was then taken up, and read at the Clerk's table, as follows:

EXECUTIVE OFFICE, IOWA CITY, 13th Dec., 1841.

To the Council and House of Representatives:

I return to the House of Representatives, in which it originated, the joint resolution "relative to carrying the mail from Iowa City to Keosauqua," &c., with my objections to it.

Without entering into the question, whether the power "to establish post offices and post roads" conferred by the Constitution of the United States upon Congress, precludes the exercise of like powers by the States and Territories? and without questioning the power of the Legislative Assembly of this Territory to employ special messengers for any necessary purpose, I am entirely satisfied, that the exercise of such a power as is proposed by this resolution, cannot be effected through the instrumentality or agency of the postmasters appointed by, and acting under the authority of the General Government, without a departure, on their part, from their duties and obligations to the Post Office Department; and not being willing to request an officer of the Government to do an act which I should consider a violation of his duty, I am constrained to withhold my signature and approval from this joint resolution.

Very respectfully, your obedient servant,

JOHN CHAMBERS.

The communication having been read,

On motion of Mr. Porter,

The resolution was taken up, and the question being put, on the passage of the same by the constitutional majority,

Was determined in the negative—Yeas 8, Nays 18.

Those who voted in the affirmative were Messrs. Biggs, Blair, Booth, Campbell, Denson, Grant, Felkner, and Whitaker.

Those whs voted in the negative, were Messrs. Baker, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Toole, Weld, Wilson, and Lewis, Speaker.

Two thirds not voting therefor, the resolution was lost.

Mr. Portor offered the following:

Resolved, That the duties of the Messenger of this House, are to convey letters and papers, public documents, &c., of the members of this House, once a week during the session, to the following places, to wit: To Washington, in Washington county; Trenton, Mount Pleasant, and Salem, in Henry county, and to Keosauqua, in Van Buren county, and deposit the same; and that the expense or extra trouble he may be put to, over and above his ordinary duties as Messenger of this House, be allowed him in his per diem as an officer of this House.

Which, after debate, was,

On motion of Mr. Porter,

Referred to the Committee on Expenditures.

No. 1, H. R. File, "A Joint Resolution, to provide for the sale of the surplus copies of the Statutes of this Territory,"

Was read a second time.

On motion of Mr. Patterson,

Ordered, That said resolution be engrossed and read a third time on to-morrow.

On motion of Mr. Patterson,

Ordered, That the petition from sundry citizens of Lee county, asking the establishment of a Territorial Road from the mouth of the Des Moines river, opposite St. Francisville, Mo., to West Point, in Lee county, and presented on the 11th instant, be taken up and referred to the Committee on Roads and Highways.

On motion of Mr. Patterson,

The House adjourned.

Thursday Morning, Dec. 14, 1841.

A message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed—

No. 1, C. F., "A Memorial for an appropriation to improve the Territorial Road from Burlington to the mouth of the Des Moines River."

No. 2, C. F., "A Memorial for an appropriation to complete the Penitentiary."

No. 2, C. F., "A Resolution requesting our Delegate to procure survey, &c., of certain Islands in the Mississippi River."

No. 3, C. F., Preamble and Resolution, requesting our Delegate in Congress to use his influence to procure a donation of land for School purposes, in Half-Breed Sac and Fox reservation.

No. 4, C. F., "A Bill authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial Road established from Iowa City to Prairie du Chien that passes through the town of Marion, in said county."

In which the concurrence of the House is requested.

I herewith present, for your signature,

A Joint Resolution, authorizing the Secretary of the Territory to effect a loan of money to pay the members of both branches of the Legislature their mileage.

And then he withdrew.

The Speaker then signed said resolution.

On motion of Mr. Toole,

Ordered, That the Committee on Roads and Highways be requested to enquire into the expediency of so amending the present Road Law that it may bear less unequally in its provisions, and also to enquire into the expediency of levying a tax on real and personal property, for road purposes.

Mr. Denson gave notice, that he would, on some future day, ask leave to introduce a Memorial to Congress, for an appropriation to improve Wapsepinicon and Mequoqueta Rivers; also, for an appropriation for building a bridge across the south fork of the Mequoqueta River, on the Military Road.

On motion of Mr. Wilson,

Ordered, That the Committee on Military Affairs enquire into the expediency of reporting a Bill to this House, exempting all persons from military duty in time of peace, excepting the commissioned officers.

Mr. Quinton, from the Committee on Expenditures, to which was referred the resolution defining the duties of Messenger, reported that they had had the same under consideration, and regret to say, that the difficulties in carrying out the objects of the resolution, seem to the Committee of an insurmountable character, they therefore recommend the rejection of said resolution.

The report was concurred in.

Mr. Patterson, from the Committee on Roads and Highways, introduced No. 7, H. R. File, "A Bill to locate a Territorial Road from West Point, in Lee county, to the landing on the Des Moines River, opposite St. Francisville, Mo., which was read a first time.

On motion of Mr. Moss,

Ordered, That the printing of said bill be dispensed with:

No. 3, H. R. File, "A Bill to authorize Perriander Pollock, and others, to erect a dam across the Wapesipinicon river," was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the whole House for the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Toole reported that the Committee had, according to order, had the same under consideration, and having made some progress, and instructed him to report the same, and ask leave to sit again.

Leave was granted.

No. 4, H. R. File, "A Bill to amend an act subjecting real and personal estate to execution," was read a second time.

On motion of Mr. Grant,

Ordered, That said Bill be referred to the Committee on the Judiciary.

No. 3, H. R. File, "A Bill to authorize Jason Wilson to erect a dam across Skunk river, in Lee county," was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House for the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, had made some progress, and instructed him to report the same, and ask leave to sit again.

The House granted leave.

No. 6, H. R. File, "A Bill to locate a Territorial Road from Keokuk, in Lee county, to Fairfield, in Jefferson county, was read a second time, and,

On motion of Mr. Quinton,

Ordered to be engrossed and read a third time to-morrow.

No. 1, H. R. File, "A Joint Resolution authorizing the Secretary of the Territory to sell the surplus copies of the Statutes of this Territory," was read a third time.

On motion of Mr. Moss,

Ordered, That said resolution be referred to the committee on the Judiciary.

Mr. Patterson presented the claim of sundry individuals for fees accruing in the contested election between James K. Moss and Thomas Cox, in Jackson county; which, on motion, was referred to the Committee on Claims.

Bills, &c., from the Council of the following titles, to wit:

No. 1—Memorial for an appropriation to improve the Territorial Road from Burlington to the mouth of the Des Moines River.

No. 2—Memorial for an appropriation to complete the Penitentiary.

No. 2—Resolution, requesting our Delegate in Congress to procure the survey of certain islands in the Mississippi River.

No. 3—Preamble and resolution requesting our Delegate in Congress to use his influence to procure a donation of lands for school purposes, in the half-breed Sac and Fox reservation.

No. 4—A Bill authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial Road established from Iowa

City to Prairie du Chien, that passes through the town of Marion, in said county.

Were severally read a first time.

On motion of Mr. Biggs,

The House adjourned.

Wednesday Morning, Dec. 15, 1841.

A Message from the Council by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed,

No. 3, C. F., A Memorial to Congress for an appropriation of ten thousand dollars to improve the Territorial Road from Iowa City to Prairie Du Chien.

No 4, C. F., Preamble and Joint Resolution requesting our Delegate in Congress to use his influenc to procure the establishment of a mail route from Iowa City to Mt. Pleasant.

No. 8. C. F., A Bill amendatory to an act entitled' "An act to authorize John R. Sparks and his associates to erect a dam across the Desmoines river."

No. 9, C. F., Preamble and Resolution in relation to the southern boundary line of this Territory.

No. 10, C. F., A bill for an act to divorce John Haynes from Celia Haynes.

No. 12, C. F., A Joint Resolution instructing J. T. Fales and James W. Woods to employ special messengers to convey letters, &c., from Iowa City to Dubuque via Marion; also to Keosauqua.

No. 15, C. F. Resolution in relation to purchase of Indian country.

In which they ask the concurrence of the House.

And then he withdrew.

Mr. Leffler presented the petition of sundry citizens of Desmoines county, praying the relocation, by disinterested commissioners, of a certain portion of the Territorial road leading from Burlington to the mouth of the Desmoines river.

On motion of Mr. Leffler,

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Moss presented the petition of William and Vincent G. Smith, and others in relation to a certain ferry across the Mississsippi river in Jackson county.

On motion of Mr. Moss,

Ordered, That said petition be referred to the Committee on corporations.

Mr. Denson gave notice that he would on some day hereafter ask leave to introduce a bill to locate a Territorial road from the mouth of the Tete Des Mort, in Jackson county, to Marion in Linn county, via Cascade, in Dubuque county.

On motion of Mr. Biggs,

Ordered, That a committee of one member from each electoral district be appointed to revise or amend the laws providing for the assessment and collection of the revenue; Whereupon,

Messrs. Biggs, Patterson, Leffler, Smead, Quinton, Felkner, Denson, Grant, Booth, and Moss were appointed said Committee.

Mr. Toole offered the following:

Resolved, That the Chief Clerk be authorized to furnish each member of this House during the session, with additional numbers of any newspaper published in this city that they may order or direct.

A motion was made by Mr. Hepner that the blank be filled up with the word "twenty;"

And the question being put, was determined in the negative.

A motion was made by Mr. Hepner to fill the blank with the word "eighteen;"

And the question being put, was determined in the affirmative.

On motion of Mr. Hepner,

The resolution was further amended by inserting the words "or newspapers" after the word "newspaper."

The resolution then read, "Resolved that the Chief Clerk be authorized to furnish each member of this House, during the session, with eighteen additional numbers of any newspaper or newspapers published in this city, that they may order or direct."

The question being put on the adoption of the same;

Was determined in the affirmative.—Yeas 16, Nays 8.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Higginson, McCulloch, Morgan, Moss, Porter, Quinton, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Blair, Grant, Hebard, Holliday, Leffler, Patterson, Robertson, and Weld.

So the resolution was adopted.

Mr. Hepner, from the Committee on Enrollments, reported that they had presented to the Governor for his signature, on the 14th inst.,

A Joint Resolution authorizing the Secretary of the Territory to effect a loan of money to pay the members of both branches of the Legislature their mileage, &c.

On motion of Mr. Hepner,

Leave of absence was granted to John R. Williams, door-keeper of this House, for ten days.

Mr. Moss, from the Committee on the Judiciary to which was referred No. 1, H. R. File, "A Joint Resolution to provide for the sale of the surplus copies of the Statutes of this Territory," reported a substitute for the same, which was read a first time.

Mr. Hepner, from the Committee on Engrossed Bills, reported No. 6, H. R. File, as correctly engrossed.

Mr. Grant, from the Committee on the Judiciary, reported No. 8, H. R. File, "A Bill to amend an act, entitled, "An act to prevent the selling of spirituous liquors to the Indians;"

Which was read a first time.

The Speaker laid before the House, the Report of the Territorial Agent; also, the Report of the Superintendent of Public Buildings.

On motion of Mr. Morgan,

Ordered, That five hundred copies of each of the said reports be printed for the use of this House.

Said Reports read as follows:

OFFICE OF THE TERRITORIAL AGENT,
IOWA CITY, DECEMBER 12, 1841.

TO THE HONORABLE LEGISLATIVE ASSEMBLY:

Gentlemen:—In compliance with the requirements of law, I herewith submit my Annual Report:

On entering upon the duties entrusted to my charge, I made a demand upon the former Acting Commissioner of Public Buildings for the delivery to me of all public moneys, papers, records and property in his possession, as contemplated by the provisions of the 16th section of "An Act providing for the appointment of a Superintendent of Public Buildings at Iowa City and the appointment of a Territorial Agent, and for other purposes"

On this requisition I received from him notes payable to the acting Commissioner, or his successor in office, and given in payment for lots in Iowa City, amounting to

	$20,627 36	
With credits endorsed on the same amounting to	2,344 61	
Leaving		$18,282 75

The receipts since the 15th of January, 1841, up to the 1st inst., are as follows, to wit:

On notes given in payment for lots sold by former Acting Commissioner on Public Buildings,	$8,687 42½	
Interests collected on same,	142 51	
Total amount of receipts from notes,		$8,829 93½
Receipts from sales of lots sold by Territorial Agent since the 10the of May, (being the date of the public sale of lots,)	$4,206 16½	
Proceeds of loans negociated with the Miners' Bank of Dubuque, under the provisions of "*An Act authorizing a loan of money to be expended upon the Capitol*;" negociated on the 28th June last,	5,000 00	
Proceeds of further loan negotiated with said Bank on the 30th of September last,	500 00	
Amount deducted from pay rolls on account of Blacksmithing,	34 49	
Total amount of receipts for the year ending 1st inst.,		$18,570 59

EXPENDITURES.

The expenditures on the Capitol for the year ending the 1st of the present month were as follows, to wit:

For the month of January,	$ 52 00	
February,	151 50	
March,	1,260 60	
April,	2,807 30½	
May,	4,135 35½	
June.	4,869 86	
July,	3,445 40½	
August,	3,219 86	
September,	1,909 64	
October,	438 68	
November,	665 98½	
Total amount of expenditures for the year ending 1st inst.,		$22,956 19½
Showing an excess of expenditures for the year, over and above the amount received by me of,		$4,285 60

The item in the above exhibit designated an excess of expenditures over and above the receipts by me, has been discharged by the issue of certificates of indebtedness to the laborers and other creditors of the Territory on account of the Capitol, payable to bearer, and receivable in payment of any debts due the office.

Upon commencing the work on the Capitol the past spring, the only means in my hands for its prosecution were the notes on hand given in payment for lots in Iowa City, amounting to $18,282 75.—I found that it would be impossible to render these notes available by the collection of money to an extent that would enable the Superintendent of the Capitol to continue the work.

In order to obviate these difficulties as far as practicable, and to render the means in my hands available to as useful an extent as possible, to enable the superintendent to proceed with the work efficiently, I adopted the plan of issuing certificates of indebtedness to the laborers and others on account of the Capitol, which certificates specified that the same would be receivable in payment of any debts due the office.

The plan adopted, I was gratified to find, under the circumstances, answered a valuable purpose, both to the public service, and the numerous individuals indebted to the Territory for City lots. A large proportion of the property holders of Iowa City and vicinity being indebted to the Territory for lots previously purchased, these certificates are readily received in paymant in all ordinary business transactions in the City, and gradually find their way back into the office, either in payment of notes previously given or in payment of new purchases of City lots. Thus nearly the entire receipts into the office, both in payment of notes previously given, as well as in payment of lots sold by me, have been received in the certificates above referred to.

On the 28th of June last I negotiated a loan of five thousand dollars —and on the 30th of September an additional loan of 500 dollars —with the Miners' Bank of Dubuque, on the faith of the unsold lots in Iowa City, and in accordance with the provisions of "An Act authorizing a loan of money to be expended upon the Capitol," approved, Jan. 15, 1841. The first amount ($5000) I agreed to pay at the Bank of America, in the city of New York, eighteen months after date, the interest payable quarterly at the State Bank of Missouri, in the city of St. Louis. The latter amount of $500 I agreed to pay at the State Bank of Missouri, in the city of St. Louis, nine months after date. These loans were negotiated at seven per centum per annum.

There were outstanding, on the 1st instant, certificates of indebtedness, as above referred to, amounting to	$5,214 91	
$278 00 of which is payable in cash, the balance to be received in payment of debts due the office.		
The excess of expenditures over the receipts by me, as shown above, amounts to	$4,385 60	
Leaving in my hands, at the date above stated, unaccounted for,		$829 31

My own salary as Agent is not included in the above exhibit, and I have in my possesion a number of receipts on unsettled accounts which are not included.

Total amount of notes on hand at the date above referred to	$14,324 36
The unsold lots at present valuation, as fixed by law, amount to	108,369 00
Total amount of notes and unsold lots on hand,	$122,693 36

The amount of arrearages incurred on the Capitol, as shown above, are as follows, to wit:

Outstanding certificates,	$5,214 91	
Amount of loans,	5,500 00	
Total,		$10,714 91

I would respectfully recommend a further reduction of the minimum price of the lots, convinced as I am that unless the price be reduced below the present rates, the sales of the next year will be very considerably less than those of the last. I feel justified in saying that the sales of the past season would not have exceeded one half the amount they have, had it not been for the fact that certificates, such as I have referred to, have been received in payment of purchases.

I would further suggest, that unless further provisions be made, at the present session of the Legislative Assembly, for making available the means under my control for the prosecution of the work on the Capitol, but little can be done towards its completion during the next year. The amount of arrearages incurred the past season will necessarily have to be provided for before means for its continuance can be had. The issuing of certificates, as heretofore, will in a great measure be prohibited from the fact that more than one half the arrearages referred to are payable in cash.

Within the past year I have compiled, with as *much accuracy as the* *means within my power would admit,* a permanent record, exhibiting in detail to whom the several lots were sold, the date and number of sale, number of block and lot as designated on the plat of the city, the minimum price of each lot, the amount sold for, how paid for, date of notes, date when notes become due, and date when the same were paid; also, total amount received on each lot, and to whom deeded, date of deed, &c.,—thus showing at a single glance the exact condition of each lot sold.

From this record I have compiled the accompanying abstracts marked A and B. The first shows the present condition of the lots sold by the Acting Commissioner, the amount which he received on each lot, as well as the amount received on the same by myself.

Abstract B is a list of the lots sold by me since the 10th of May last,—that being the date of the public sale—showing to whom sold, &c. It will be seen by this statement that the sales since the date referred to amount to $9,031 00.

All of which is respectfully submitted.

JESSE WILLIAMS,
Territorial Agent.

(A)

AN ABSTRACT

Of sales of Lots in Iowa City, made by the former Acting Commissioner on Public Buildings; showing to whom sold, the amount received on each lot by the Acting Commissioner, and the amount of principal and interest received on the same by the Territorial Agent, together with the amounts yet due on each lot: also, showing the date at which the last payment on the lots become due.

Date of Sale.	No. of Sale.	To whom sold.		No. of block.	No. of Lot.	Amount sold for.	Amo't received by Ac. Com'r.	Am't rec'd by Terit'al Agent.	Am't of interest recv'd	Amn't yet due	Date when last payment become due.
Jan. 1, 1841.	220	Robert Lucas,		20	1	$100	$25 00	$25 00		$50 00	July 1, '42.
	221	do.	do.		2	75	18 75	18 75		37 50	
	222	do.	do.		3	75	18 75	18 75		37 50	
	223	do.	do.		4	100	25 00	25 00		50 00	
	224	do.	do.		5	25	6 25	6 25		12 50	
	225	do.	do.		6	20	5 00	5 00		10 00	
	226	do.	do.		7	20	5 00	5 00		10 00	
	227	do.	do.		8	25	6 25	6 25		12 50	
	228	do.	do.		5	25	6 25	6 25		12 50	
	229	do.	do.	24	6	20	5 00	5 00		10 00	
	230	do.	do.		7	20	5 00	5 00		10 00	

	231	do do		8	25	6 25	6 50		12 50	
Oct. 11, 1839.	121	W. G. Finch,	39	6	41	20 50	20 20	57		
10,	107	Christopher Miller,		1	42	42 00				
11,	122	John Shays,	44	1	50	25 00	25 00			
Aug21,	34	Mathew Teniche,		2	90	67 50	22 50	21		
Oct. 12,	133	F. M. Irish,		3	20	10 00	10 00	17		
Aug.20,	35	A. Osburn,		4	110	82 50			37 50	Feb. 21, '41
Oct. 12,	134	Willson & Mullholand,	45	5	55	27 50	13 75	77	13 75	Apl. 12, '41
Aug.21,	36	Wm. Bostick,		6	105	105 00				
Oct. 10,	108	Jacob S. Gobbin,		7	76	19 00			57 00	10,
Aug.21,	37	Wm. Bostick,	48	1	70	70 00				
	38	G. A. Martin,		3	31	23 25	7 75			
Oct. 12,	135	E. M. Bissell,		5	76	19 00			57 00	Apr. 12, '41
	136	" "	49	1	41	10 25			30 75	
Aug.21,	39	Casper Nich,		2	34	17 00	17 00	56		
Oct. 9,	91	Luke Dougless,		4	61	45 75	15 25			
10,	109	Christopher Miller,		6	50	50 00				
12,	137	E. M. Bissell,	50	1	45	11 25			33 75	
Aug.21,	138	A. G. Martin,		2	34	17 00	17 00			
	123	Wm. Bostick,		4	60	60 00				
Oct. 11,	40	A. G. Gano,	51	1	60	60 00				
Aug.21,	41	Gor. Van Hagan,		2	51	25 50			25 50	Feb. 21, '41
Oct. 11,	124	John Shays,		3	34	17 00	17 00	17		
Aug.20,	4	Ward & Hartz,		4	67	58 62	8 37½			
21,	52	Asaph Allen,	52	5	25	6 25			18 75	
	43	" "	"	6	25	6 25			18 75	
	44	Willson & Mulholland,		7	25	18 75	6 25	9		
	45	" "		8	25	18 75	6 25	20		

Date of Sale.	No. of Sale.	To whom sold.	No. of block.	No. of Lot.	Amount sold for.	Amo't received by Ac. Com'r.	Am't rec'd by Terit'al Agent.	Am't of interest rec'ved.	Amo't yet due.	Date when last payment become due.
Oct. 12,	139	F. M. Irish,	53	5	52	31 25	20 75	31		Feb. 21, '41
	140	" "		6	41	10 25			30 75	Apr. 12, '41
9,	92	J. E. Wooton,		7	41	20 50			20 50	9,
12,	141	E. M. Bissell,		8	51	25 50	25 50	64		
Aug. 21,	46	Wm. Bostick,	54	1	105	105 00				
	142	Philip Clark,		3	50	25 00	25 00	1 20		
Oct. 12,	143	E. M. Bissell,		4	41	20 50	20 50	1 02		
Oct. 12,	144	Samuel H. McCrory,		7	31	31 00				
11,	125	S. & J. Ogdon,	55	1	42	42 00				
Aug. 21,	145	Wm. C. Massey,		4	88	44 00			44 00	Feb. 21, '41
20,	5	Charles Jack,		6	43	10 75			32 25	20,
Dec. 29,	194	Chauncey Swan,		7	41	30 75	10 25			
Aug. 21,	47	Geo. Wein,	56	3	51	25 50			25 50	21,
Oct. 11,	126	Wm. G. Finch,		4	53	26 50	26 50	74		
Aug. 21,	146	Samuel H. McCrory,		5	89	44 50	44 50	97		
Oct. 10,	110	Chas. Sweetland,		6	68	34 00			34 00	April 10, '41
12,	147	E. M. Bissell,	57	2	51	12 75			38 25	12,
Aug. 21,	148	Wm. Bostick,		4	75½	75 25				
	48	Casper Nich,		6	47	23 50	23 50	87		
Oct. 12,	149	David Cox,		7	53	13 25	26 50	88	13 25	
Jan. 27, 1840	199	Francis Thompson,	58	3	32	16 00	16 00			
Oct. 12, 1839	84	Wm. C. Massey,		5	132	70 25			61 75	Feb. 21, '41

	49	Samuel H. McCrory,		6	57	57 00				
Aug. 20,	6	Charles Jack,		7	52	13 00			39 00	20,
Oct. 12,	150	Samuel H. McCrory,	59	4	76	76 00				
Aug. 21,	50	Mathew Teniche,		6	72	54 00	18 00	56		
Oct. 12,	151	S. H. McCrory,		7	34	34 00				
Aug. 11,	51	Wm. Bostick,		8	105	105 00				
	52	" "	60	2	71	71 00				
Oct. 10,	111	Benj. Kincade,		4	206	51 50			150 50	Apr. 10,'41
Aug. 20,	53	J. G. Morrow,	61	1	100	50 00	50 00	2 10		
21,	54	Wm. Bostick,		3	219	219 00				
Oct. 11,	127	J. G. Nichols,		4	242	60 50			181 50	11,
10,	112	James Herron,		6	120	60 00	60 00	2 20		
12,	152	F. M. Irish,		8	150	107 50	42 50	35		
Aug. 30,	87	Hannah Cole,	62	1	50	25 00	25 00	1 08		
Oct. 11,	128	John Shays,		3	91	45 50	45 50	45		
9,	93	Vanfleet & Cross,		4	155	59 51	31 31	1 25	64 18	9,
10,	113	R. McIntosh,		5	97	48 50			48 50	10,
9,	94	James Laughlin,		6	71	35 50	35 50	70		
	95	" "		7	85	42 50	42 50	58		
8,	96	Wm. Drury,	63	2	78	51 44	7 06	39	19 50	8,
Aug. 21,	55	Wm. Bostick,		4	186	186 00				
Oct. 10,	114	James Herron,		6	60	30 00	30 00	60		
Aug. 20,	7	L. E. Hartz,		7	70	70 00				
Oct. 12,	153	Mathias Lamar,	64	1	93	46 50	46 50	1 53		
9,	97	Vanfleet & Cross,		2	55	21 11	26 56	94	7 33	9,
Aug. 21,	56	Henry C. Buck,		4	254	190 50	63 50			
20,	57	Turner & Black,		7	69	34 50	34 50			
21,	58	C. S. Cowan,	65	1	189	189 00				

Date of Sale.	No. of Sale.	To whom sold.	No. of block.	No. of Lot.	Amount sold for.	Amo't received by Ac. Com'r.	Am't rec'd by Terit'al Agent.	Am't of interest recv'd	Amn't yet due	Date when last payment become due.
Oct. 11, 1839,	129	Wm. Devall,		3	150	75 00	75 00	1 50		Apl. 9, '41.
12	154	Henry Heart,		4	304	152 00	96 00	3 78	56 00	
9	98	James Laughlin,		5	126	54 50	71 50	1 73		
Aug. 21	59	Abraham Owen,		6	105	26 25			77 75	Feb. 21,
	60	Wm. Bostick,	66	4	449	384 25	64 75	1 13		
20	8	John B. Adams,	67	4	450	225 00			225 00	20,
Oct. 11	130	Abner Walcott,	68	2	35	82 44	2 56			
Aug. 21	61	Felkner & Myers,		4	303	227 25	75 75	1 64		
Oct. 12	155	McCrory & Cropper,		5	175	87 50	43 75	1 27	43 75	Apl. 12,
	156	Sam'l J. Frost,		6	150	37 50	112 50	5 87		
Aug. 20	9	Charles Jack,		7	180	36 75			143 25	Feb. 20,
Jan. 27, 1840.	200	Philip T. Wells,	69	2	31	9 25			21 75	July 27,
		Joseph Adams,		4	76	26 00	50 00	25		
Aug. 21, 1839.	62	Wm. Bostick,		5	162½	121 88	40 62	72		
Jan. 25, 1840.	198	Elisha Duel,		6	77	57 75			19 25	25,
Aug. 20, 1839,	10	Myron Ward,		7	101	25 25			75 75	Feb. 20,
Oct. 12	157	Charles S. Foster,	77	2	100	50 00	50 00	84		
Aug. 20	11	B. S. Olds,		5	306	229 50	76 50			
Oct. 12	158	Ed. Foster,		6	127	63 50	63 50	1 18		
Aug. 20	12	Chas. Jack,		7	200	50 00			150 00	Feb. 20,
Oct. 12	159	Geo. T. Andrews,		8	201	100 50	20 81		79 69	Apl. 12,
	160	J. Shaw,	78	1	265	66 25	132 50		66 25	

Aug21,	63	Bowen & Sanders,		2	222	80 50	32 70	3 10	108 80	Feb. 21, '41
Oct. 9,	99	Wm. Drury,		4	201	172 50	28 25	83	25	Apl. 9, '41
Aug.20,	13	J. C. Hutchison,		5	605	453 75	151 25	3 75		
Oct. 12,	115	James Herron,		7	190	142 50	47 50	20		
Aug.21,	64	J. V. Campton,	79	3	749	187 25	219 61	15 83	342 14	Feb. 21, '41
	65	Wm. Bostick,		6	750	562 50	187 50	3 26		
Oct. 3, 1840	219	Edward Foster,		7	700		291 54		408 46	Oct. 3, '41
Aug.21, 1839	66	Wm. Bostick,		8	725	543 75	181 25	3 15		
20,	14	Mathew Teniche,	80	1	300	200 00	100 00	1 55		
Oct. 8,	89	Jesse Bowen,		2	307	76 75	230 25	6 02		
Sep. 27, 1840.	216	M. H. Cropper,		¾ of 3	600	150 00	800 00		150 00	Mar. 27, '42
	216	Woodworth & Reagan,		¼ of 3	400		133 34	2 72	266 66	
Oct. 12, 1839	161	M. H. Cropper,		4	400	125 00			275 00	Apr. 12, '41
Aug.21,	67	Walter Butler,		5	300	150 00			150 00	Feb. 21, '41
Sept. 1, 1840.	202	" "		6	800	200 00			600 00	Mar. 1, '42
Aug.21, 1839	68	Wm. Bostick,		7	256	192 00	64 00	1 11		
Oct. 12,		John Shaw,		s ½ 8	175	43 75	131 25	3 05		
		Lyman Dillon,		s ½ 8	130	32 50	97 50	5 64		
Aug.20,	15	Elijah Wood,	81	1	271	135 50	135 50	6 17		
Nov. 4.	184	Chauncey Swan,		2	149	37 25			111 75	July 8, '41
Aug. 25.	16	R. B. Davis,		3	266	199 50	66 50			
Oct. 12,	163	Philip Clark,		6	100	50 00	50 00	1 00		
	164	Robert McKee,		7	100	50 00	8 41		41 59	Apr. 12, '41
	165	Lyman Dillon,	82	1	150	50 00	100 00			
Nov. 12.	166	do do		2	96	24 00	72 00			
Aug. 21.	69	Henry Bolling,		4	217	135 75			18 25	Feb. 21, '41
Jan. 8, 1840	185	Walter Butler,		5	118	13 00			105 00	July 8, '41
Aug. 21, 1839	70	Wm. Bostick,		7	130	97 50	32 50	55		

Date of Sale.	No. of Sale.	To whom sold.	No. of block.	No. of Lot.	Amount sold for.	Amo't received by Ac. Com'r.	Am't rec'd by Terit'al Agent.	Am't of interest recv'd	Amn't yet due	Date when last payment become due.
Oct. 11, 1839,	131	John Shays,	83	1	169	84 50	84 50	84		
12	116	James Heron,		2	105	26 25	22 62		56 13	Apl. 12, '41.
Aug. 20	17	Sturgis & Buck,		3	156	39 00			117 00	Feb. 20, '41
Oct. 9	100	Arnold Denton,		5	90	45 00			45 00	Apl. 9, '41
Aug. 28	85	Abraham Cline,		7	100	50 00			50 00	Feb. 28, '41
Oct. 12	167	" "		8	101	25 25			75 75	resold Ap 12
Aug. 21	71	James Wells,	84	1	519	339 50	179 50	4 42		
Oct. 9	101	Daniel Garst,		2	306	153 00	153 00	3 25		
Aug. 21	72	Wesley Jones,		3	300	225 00	75 00	92		
20	18	Turner & Black,		4	481	240 50	240 13		37	Feb. 20, '41
Oct. 8	102	Frederick Miller,		6	125	31 25			93 75	Apl. 8, '41
12	168	Jesse Berry,		7	183	65 75	90 00	1 55	27 25	12,
	169	Wm. M. Harris,		8	181	45 25	135 75	4 31		
8	103	Caleb Lewis,	85	2	110	55 00			55	8,
Aug. 28	86	Green Weaver,		3	205	205 00				
Oct. 10	117	Alpheus Russell,		4	251	62 75			188 25	10,
12	170	J. Harris,		5	606	303 50			302 50	12,
8	90	Wm. Drury,	85	6	367	242 06	38 00	1 38	86 94	8,
Sept. 5, 1840.	219	Ferdinand Haverstraw,		7	800	200 00	250 00	1 33	50 00	Mar 5, '42
Aug. 21, 1839.	73	Mary Ann Chord,		8	300	150 00	150 00	4 89		
Oct. 9	104	James C. Scott,	86	1	142	71 00			71 00	Apl. 9, '41
Aug. 20	19	L. E. Hartz,		2	86	86 00				

Oct. 9,	105	Wm. Drury,		4	150	75 00	37 50	92	37 50	
Aug. 20,	106	E. Woods,		5	151	113 25	37 75	1 77		
Oct. 9,	20	James C. Scott,		7	146	73 00			73 00	
Aug. 19,	1	L. D. Phillips,		8	330	82 50			247 00	Feb. 19, '41
	2	G. W. Statton,	89	1	125	62 50	62 50	1 87		
Dec. 25,	171	Lyman Dillon,		2	31	7 75	23 25			
		" "		3	41	10 25	30 75			
		" "		4	111	25 25	85 75			
Oct. 12,	74	Wm. C. Massey,		5	101	25 25			75 75	Apr. 12, '41
Aug. 21,	75	Wm. Bostick,		8	81	60 75	20 25	30		
	76	Chas. Drury,	90	1	100	75 00	25 00	42		
Nov. 12,	118	" "		2	51	38 25			12 75	May 12, '41
Oct. 11,	132	A. Gano,		3	51	51 00				
Aug. 21,	77	F. Byerly,		4	81	40 50	40 50			
Oct. 12,	174	Geo. Sheigley,		5	300	150 00	150 00	59		
Aug. 20,	21	E. Woods,		6	185	106 00	79 00	2 23		
25,	83½	Jas. Churchman,	91	3	160	40 00			120 00	Feb. 25, '41
Oct. 12,	175	E. M. Bissell,		4	299	74 75			224 25	Apr. 12, '41
Aug. 20,	22	E. Woods,		5	101	50 50	50 50	3 09		
Oct. 12,	176	E. M. Bissell,		6	51	25 50	25 50	47		
Aug. 20,	23	Pleasant Harris,		8	200	100 00	47 69		52 31	Feb. 20, '41
	24	John Miller,	92	2	51	25 50	25 50	91		
Dec. 29,	195	Lorenzo D. Swan,		3	41	20 50	20 50	22		
Oct. 12,	186	H. G. Jones,	92	4	76	57 00	19 00	07		
Aug. 21,	78	Wm. Bostick,		5	75	56 25	18 75	33		
Oct. 12,	177	Thos. Holdren,		6	32	16 00			16 00	Apr. 12, '41
Aug. 21,	79	J. V. Campton,		7	41	10 25	30 75	1 59		
Oct. 10,	119	John W. Earhart,	95	1	51	12 75	27 88	39½	10 36½	

Date of Sale.	No. of Sale.	To whom sold.	No. of block.	No. of Lot.	Amount sold for.	Amo't received by Ac. Com'r.	Am't rec'd by Terit'al Agent.	Am't of interest rec'ved.	Amo't yet due.	Date when last payment become due.
Aug. 21, 1839	88	E. C. Doughterty,		2	55	55 05				
Dec. 29,	196	Silas S. Swan,		3	41	10 25	30 75	40		
		Chauncey Swan,		6	31	11 25	19 75			
Aug. 21,	178	Samuel H. McCrory,		8	63	31 50	31 50	69		
Oct. 10,	120	R. McIntosh,	96	2	64	32 00			32 00	Apr. 10, '41
Aug. 20,	25	Turner & Black,		4	100	50 00	50 00			
Nov. 4,	181	Chauncey Swan,		5	55	5 00	50 00	25		
Aug. 20,	26	Joshua Holland,		6	74	18 50	55 50	2 41½		
21,	81	Joseph Alger,		8	121	71 00	50 00	2 17		
Nov. 4,	188	Chauncey Swan,	97	1	301	139 00	162 00	81		
Aug. 19,	3	Ewing & Chatham,		3	265	66 25			198 75	Feb. 13, '41
June 18,	179	J. P. Hamilton,		6	41	41 00				
Dec. 12,	192	Chas. J. Swan,		7	41	11 75	29 25	56		
Aug. 20,	27	E. Woods,		8	176	88 00	88 00	2 78		
Dec. 12,		Dolly Swan,	98	2	105	105 00				
Aug. 21,	82	Wm. Bostick,		4	272	204 00	68 00	1 18		
20,	28	E. Woods,		5	141	70 50	69 32		1 18	Feb. 20, '41
	29	" "		7	76	38 00			38 00	20,
Nov. 4,	189	Chauncey Swan,		8	76	26 00	50 00			Apr. 12, '41
Oct. 12,	30	J. Harris,	99	1	77	19 25			57 75	
Aug. 20,	31	P. Buck,		3	136	59 00			77 00	Feb. 20, '41
21,	83	Wm. Bostick,		5	117	87 75	29 25	51		

Dec. 29,	190	Chauncey Swan,	99	6	31	11 25	19 75			
Oct. 10,	180	Wm. C. Massey,		7	31	15 50			15 50	Apr. 10, '41
Aug. 20,	32	Wm. Sturgis,		8	57	14 25			42 75	Feb. 20, '41
	33	E. Woods,	100	1	85	64 25			20 75	20,
21,	181	John Frout,		3	90	45 00	4 40		40 60	21,
Oct. 11,	181	Arthur Rowan,		2	67	33 50	33 50	1 22		
Jan. 25, 1840	191	John Frout,		4	44	11 00			33 00	21,
Sept. 8,	211	Chauncey Swan,	101	1	201	50 25	100 50	58	50 25	Mar. 8, '42
	212	" "		2	217	54 25	54 25		108 50	8,
4,	203	Wesley Jones & Co.		3	125	31 25	62 50	04	31 25	4,
8,	213	Lorenzo D. Swan,		6	100	25 00			75 00	8,
4,	204	Wesley Jones & Co.,		7	126	31 50	63 00		31 50	4,
8,	205	Wm. C. Reagan,		8	150	37 50	25 22		87 18	8,
	206	L. De Forest,	102	2	150	37 50	37 50		75 00	4,
9,	215	James Andrews,		3	200	50 00	39 00		111 00	9,
1,	201	L. W. Hastings,		4	300	75 00	150 00		75 00	1,
7,	201	Banbury & Combe,		5	250		87 62		162 38	7,
4,	207	Lanning & Layman,		6	150	37 50	63 37		49 13	4,
4,	208	James Ferguson,		8	200	42 50	105 00		52 50	4,
Oct. 1,	218	P. D. Harman,	103	4	250	42 18	44 28		163 54	Oct. 1, '41
Sept. 29,	217	James Herron,		7	200	50 00			150 00	Mar. 29,
8,	214	James N. Ball,		8	250	62 50	62 50		125 00	8,
Oct. 7, 1839	88	Jacob Minter,	o'tlot	25	167	41 75			125 25	Apr. 7, '41
12,	182	Lyman Dillon,	"	30	125	93 75			31 25	
	183	" "	"	31	350	262 50			87 50	Mar. 12, '41
					35,051 75	16,864 61	8,687 40½	142 51	9,499 72½	

(B)

LIST OF LOTS

SOLD IN IOWA CITY BY THE TERRITORIAL AGENT.

Shewing the minimum price, and the price for which each lot was sold; the date and number of lots; the amount received, and the amount yet due on the respective lots; also, the date at which the several notes become due.

Date of Sale.	No. of Sale.	To whom sold.	No. of block.	No. of Lot.	Minimum price.	Prices sold for.	Am't rec'd on each Lot.	Amo't yet due.	Date when 1st note becomes due.	Date when 2d note becomes due.
May 11, 1841	232	Shoemaker & Miller,	81	8	$475 00	$475 00	$282 50	$192 50	Fb. 11, '42	
	233	A. I. Willis,		5	650 00	651 00	397 00	254 00	Nv. 10, '41	May 11, '42
	234	Wesley Jones & Co.		4	800 00	800 00	533 33⅓	266 66		11,
12	235	Thomas Lugar,	82	6	200 00	200 00	133 33⅓	66 66		12,
	236	“ “		8	300 00	300 00	200 00	100 00		“
13	237	Silas Foster,	87	5	200 00	200 00	133 33⅓	66 66		13,
13	238	Hosea Johns, jr.	o'tlot	2	350 00	350 00	116 66	233 33⅓	Nv. 13, '41	“
	239	Diodate Holt,	“	29	300 00	300 00	100 00	200 00	“ “	“
June 3	240	Theodore Sanxay,	78	3	350 00	350 00	233 33⅓	116 66		June 3, '42
	241	Thomas Parker,	91	1	500 00	500 00	166 66	333 33⅓	“ “	“
7	242	Erasmus Tulley,	101	4	250 00	250 00	125 00	125 00		7,

9,	243	Tulley & Harman,	79	5	600 00	600 00	300 00	300 00		9,
10,	244	John M. Coleman,	o'tlot	21	200 00	200 00	66 66	133 33⅔	Dec.10, '41	10,
14,	245	Beaumont S. Holmes,	79	4	550 00	550 00	183 33⅓	366 66	14,	14,
16,	246	Augustus E. McArther,	23	3	150 00	150 00	50 00	100 00	16,	16,
	247	" "	"	4	200 00	200 00	66 66	133 33⅓	16,	16,
18,	248	Jos. Woodworth,	97	5	250 00	250 00	83 33	166 66	18,	18,
July 12,	249	Jacob Haser,	68	8	300 00	300 00	100 00	200 00	Jan. 13, '42	July 12,
20,	250	McArther & Co.	96	7	150 00	150 00	50 00	100 00	20,	20,
23,	251	J. B. Hollingsworth,	102	7	220 00	250 00	85 33½	166 66	Dec.23, '42	23,
	252	" "	101	5	255 00	225 00	75 00	150 00	23,	23,
24,	253	John H. Marlan,	82	3	325 00	325 00	108 33	216 66	24,	23,
Aug. 14,	254	Samuel M. Ballard,	o'tlot	3	400 00	400 00	266 66	133 33⅓	Feb.14, '42	Aug. 14, '42
Sept. 18,	255	Wm. Corcoran,	68	1	225 00	225 00	75 00	150 00	Mar.18, '42	Sep. 18, '42
30,	256	John M. Coleman,	o'tlot	22	150 00	150 00	50 00	100 00	30,	20,
	257	John Hurley,	"	23	130 00	130 00	43 33⅝	86 66	30,	20,
	258	Driscoll & Jolley,	"	20	200 00	200 00	66 66	133 33⅓	30,	20,
Oct. 16,	259	W. W. Woods.	"	1	350 00	350 00	116 66	233 33⅓	Apl. 16, '42	Oct. 16, '42
					9,030 00	9,031 00	4,206 16	4,824 83⅓		

TO THE HONORABLE THE COUNCIL
AND HOUSE OF REPRESENTATIVES:

Gentlemen:—In compliance with law, I have the honor to submit my annual Report as Superintendent of Public Buildings at Iowa City.

The whole amount of fine cut stone laid in the walls of the Capitol this season, is four thousand six hundred and seventy-three feet.

The number of cubic feet of dressed rock, is twenty-one thousand one hundred and forty-six feet,. making a total of twenty-five thousand eight hundred and nineteen feet of masonry, since the date of my Report, dated Nov. 1st 1840, as Acting Commissioner.

The total amount of expenses for work (as exhibited by pay rolls) this season is as follows, to-wit: $17,509,85 cents.

For work on Capitol, - - - -	10,615,75	"
do in Quarry, - - - -	6,262,93	"
do on the Roof, - - - -	631,35	"
Total,	$17,509,85	cents.

Sixty thousand brick have been laid in the walls—the second tier of joists (being the contract of Heron and Hanby, made last season) is finished. Twenty thousand feet of oak flooring of the best quality, has been delivered by John Ronalds, Esq., at the Capitol, and he has received his pay for the same agreeable to contract, viz: $429 paid by me, and the balance by Jesse Williams, Agent, ($171,) making six hundred dollars, or thirty dollars per 1000 feet, being the terms of said contract.

The walls of the Capitol on the east front, are raised to the bottom of the cornice; being thirty-five feet from the ground. The Walls of the west front and ends of the building, are thirty feet from the ground, and the expense of raising them as high as the east front, being to the square of the building, will not be far from $1000. The east portico has also been raised this season.

I have caused the walls of the buildings to be covered with a roof; the second floor being nearly covered with plank to protect the inside walls and joists from the effects of the weather.

By referring to a report of the Committee appointed last session, to examine the public buildings, &c., the following passage will be found:

"The Committee have suggested to the Acting Commissioner, the propriety of dressing the pilasters in the same manner as the water-table, door jambs &c."

Notwithstanding I was aware of the difficulty of procuring rock suitable for cutting, I felt it my duty to act on the suggestion of said Committee, as being instructions, from your honorable body. The walls were removed in the spring, that had been laid in places where it became necessary to set cut rock. Instead of raising the walls of rough masonry, they are made with range work and make such a contrast with the cut pilasters, that the whole has a fine appearance, far superior to rough cast or hard finish.

The extra expense in erecting the Capitol, as above stated, over my last estimate, made Nov. 1, 1840, and before I received said instructions, including extra work in quarry has been $8,500. $1,500 would have been sufficient to have quarried all the rough rock for the Capitol this season. But in furnishing rock suitable for cutting, it became necessary to expend over that sum to enlarge the quarry and in digging from twelve to twenty feet deeper; and then, but a small portion of the rock thus procured, would answer for dimension rock for pilasters.

I examined other sections of the country, in order to find a quarry that could be worked with less expense, but fould none, when taking into consideration the difference in transportation.

In justice to the above named Committee, as well as to myself, I must say that the alteration in the manner of building (notwithstanding all the difficulties attending it) has been a good one and has met with the approbation of all who have visited the Capitol this season.

I engaged in the summer, Wm. B. Snyder, Esq., as Superintendant of the roof, with the intention of placing it on the building this season; but having become satisfied when the work was some more than half done, that it could not be finished this season for want of funds, I directed him to suspend the work on the same. At his suggestion, I employed a few hands to finish that part of the framing which had been commenced. The roof is under a shed and protected from the effects of the weather, and also the flooring plank delivered by Mr. Ronalds.

The tools used on the quarry, as also those used on the building, and in the blacksmith shop, together with 900 pounds of iron and 200 pounds of steel are in the vault of the Capitol under lock and key.

We have on hand the window frames and sash, delivered by Thos. Snyder. Five hundred bushels of lime and four thousand bushels of sand.

The timber for the roof, partly framed, and forty thousand feet of lumber including the sheeting for the roof, is nearly all of the oak lumber that will be necesary to inclose the building and lay the floors —this also is on hand.

For a more detailed account of the expenses on the Capitol and in the quarry, I refer your honorable body to the report of the Territorial Agent.

All of which is respectfully submitted.

I have the honor to remain,
With sentiments of esteem, gentlemen,
Your obedient servant,
C. SWAN.
Sup't. Public Buildings, Iowa City.

Superintendant's Office, Dec. 13, A. D., 1841.

On motion of Mr. Hepner,

Ordered, That a Standing Committee on Memorials be appointed, to consist of one member from each electoral district,

Whereupon the Speaker appointed,

Messrs. Hepner, Campbell, Porter, Quinton, Toole, Holliday, Higginson, Robertson, Booth and Moss said committee.

No. 1, C. F.—Memorial for an appropriation to improve the Territorial road from Burlington to the mouth of the Des Moines river, was read a second time, and

On motion,

Referred to the Committee on Memorials.

No. 2, C. F.—Memorial for an appropriation to complete the Penitentiary, was read a second time, and

On motion,

Referred to the Committee on Memorials,

No. 2, C. F.—Resolution requesting our Delegate in Congress to procure the survey of certain Islands in the Mississippi river, was read a second time, and

On motion,

Referred to the Committee on Memorials.

No. 3, C. F.—Preamble and Resolution requesting our Delegate in Congress to use his influence to procure a donation of lands for school purposes in the half-breed Sac and Fox reservation, was read a second time, and referred to the Committee on Memorials.

No. 4, C. F.—A Bill authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial Road established from Iowa City to Prairie du Chien, that passes through the town of Marion, in said county, was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be referred to the Committee on Roads and Highways.

No. 7, H. R. File—A bill to locate a Territorial Road from West Point, in Lee county, to the landing on the Des Moines river, opposite St. Francisville, Mo., was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 6, H. R. File—A bill to locate a Territorial Road from Keokuk, in Lee county, to Fairfield, in Jefferson county, was read a third time:

On motion of Mr. Biggs,

Ordered, That said bill be committed to the Committee on Roads and Highways.

Bills, &c., from the Council of the following titles, to wit:

No. 3. Memorial to Congress for an appropriation of ten thousand dollars, to improve the Territorial Road from Iowa City to Prairie du Chien.

No. 4. Preamble and joint resolution requesting our Delegate in Congress to use his influence to procure the establishment of a mail route from Iowa City to Mount Pleasant;

No. 8. A bill amendatory to an act entitled "An act to authorize John R. Sparks and his associates, to erect a dam across the Des Moines river;'

No. 9. "Preamble and Resolution in relation to the southern boundary line of this Territory;"

No. 10. "A bill for an act to divorce John Haynes from Celia Haynes;"

Were severally read a first time.

No. 12, C. F., "Joint Resolution, instructing J. T. Fales and James W. Woods, to employ special messengers to carry letters, &c., from Iowa City to Keosauqua, and also, from Iowa City to Dubuque, via Marion," was read a first time.

On motion of Mr. Biggs,

Ordered, That the 44th rule be suspended, and the resolution be read a second time now.

The resolution was then read a second time, and,

On motion of Mr. Biggs,

The House resolved itself into Committee of the whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hebard reported, that the Committee had, according to order, had said resolution under consideration, and instructed him to report the same with sundry amendments.

On motion of Mr. Porter,

Ordered, That said resolution be referred to the Delegations from Henry and Dubuque counties.

On motion of Mr. Biggs,

Mr. Weld, was added to said Committee.

A message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have passed,

No. 11, C. F., "A Memorial to Congress, praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the southern boundary line."

In which the concurrence of the House is requested.

And then he withdrew.

No. 15, C. F., "Resolution in relation to the purchase of Indian country," and

No. 11, C. F. "A Memorial to Congress praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa, and the State of Missouri, in relation to the southern boundary line;"

Were severally read a first time.

A motion was made by Mr. Toole, that the House do now adjourn until 2 o'clock, P. M.

The motion was lost.

Mr. Hebard gave notice, that he would on some future day, introduce a Memorial to Congress, for an appropriation to continue the construction of the agency road westward.

On motion of Mr. Biggs,

The House adjourned.

Thursday Morning, December 16, 1841.

Mr. Grant presented the petition of sundry citizens of Le Claire and vicinity, in Scott county, asking a charter to be granted to Martin W. Smith, to keep a ferry across the Mississippi river, at said place.

On motion of Mr. Grant,

Ordered, That said petition be referred to the Committee on Corporations.

Mr. Grant asked leave of absence for Mr. Robertson, for the space of ten days.

Leave was granted.

Mr. Hebard, from the Committee on Engrossed Bills, reported No. 7, H. R. File, as correctly engrossed.

Mr. Felkner, from the Committee on Corporations, reported No. 9, H. R. File, "A Bill to incorporate the town of Mount Pleasant," which was read a first time.

On motion of Mr. Hebard,

Ordered, That the printing of said bill be dispensed with.

Mr. Porter, from the Select Committee, to which was referred No. 12, C. F., "A Joint Resolution, authorizing J. T. Fales and James W. Woods to employ Messengers to carry letters, &c." reported a substitute for the same, which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, to which was referred No. 6, H. R. File, "A Bill to locate a Territorial road from Keokuk, in Lee county, to Fairfield, in Jefferson county," reported the same back to the House with sundry amendments.

Mr. Patterson, from the Committee on Roads and Highways, to which was referred No. 4, C. F., "A Bill authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial road established from Iowa City to Prairie du Chien, that passes through the town of Marion, in said county," reported the same back to the House without amendment.

No. 3, C. F., "Memorial to Congress for an appropriation of ten thousand dollars to improve the Territorial road from Iowa City to Prairie du Chien, was read a second time.

Ordered, That said Memorial be referred to the Committee on Memorials.

No. 4, C. F., "Preamble and Joint Resolution, requesting our Delegate in Congress to use his influence to procure the establishment of a mail route from Iowa City to Mount Pleasant, was read a second time.

Ordered, That said preamble and resolution be referred to the Committee on mail routes.

No. 8, C. F., "A bill amendatory to an act entitled "An act to authorize John R. Sparks and his associates to erect a dam across the Des Moines river," was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill do lie upon the table.

No. 9, C. F. "Preamble and Resolution in relation to the Southern Boundary Line of this Territory, was read a second time.

Ordered, That said preamble and resolution be referred to the Committee on the Judiciaay,

No. 10, C. F. "A bill to divorce John Haynes from Celia Haynes, was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Biggs reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

A motion was made by Mr. Patterson, that said bill be read a third time on to-morrow—pending which,

Mr. Patterson moved a call of the House, which was had; and the roll being called, those members who failed to answer to their names, were Messrs. Baker and Campbell.

The Sergeant-at-arms was then directed to require the attendance of the absentees.

After a short time, Mr. Campbell appearing, a further call of the House was, on motion, suspended.

The question then being put, Shall the bill be read a third time on to-morrow?

Was determined in the affirmative.—Yeas 15, Nays 9.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Higginson, Holliday, McCulloch, Patterson, Porter, Quinton, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Biggs, Blair, Grant, Hebard, Leffler, Morgan, Moss, Weld, and Wilson.

So the bill was ordered to be read a third time on to-morrow.

No. 11, C. F., "A Memorial to Congress for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the southern boundary line," was read a second time.

Ordered, That said Memorial be read a third time on to-morrow.

No. 15, C. F. "Resolution in relation to purchase of Indian country," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said resolution be read a third time on to-morrow.

No. 1, H. R. File, "A Joint Resolution, to provide for the sale of the surplus copies of the statutes of this Territory, was read a second time.

On motion of Mr. Leffler,

Ordered, That said resolution be engrossed for a third reading on to-morrow.

No. 8, H. R. File, "A bill to amend an act entitled "An act to prevent the selling of spirituous liquors to the Indians, was read a second time.

On motion of Mr. Leffler,

The House resolved itself into Committee of the whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Porter reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment, and ask leave to sit again.

Leave was granted.

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock.

2 O'CLOCK, P. M.

No. 7, H. R. File, "A bill to locate a Territorial Road from West Point, in Lee county, to the landing on the Des Moines river, opposite St. Francisville, Mo., was read a third time, passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Hepner,

Ordered, That No. 8, H. R. File, A bill to amend an act entitled "An act to prevent the selling of spirituous liquors to the Indians," be committed to the Committee on the Judiciary, and that the Committee of the whole House be discharged from the further consideration of the same.

On motion of Mr. Felkner,

Leave of absence was granted to Mr. Higginson until Monday next.

A motion was made by Mr. Toole, to re-consider the vote of yesterday ordering the printing of five hundred copies of the Reports of the Superintendent of Public Buildings and Territorial Agent.

And the question being put—was determined in the affirmative.

On motion of Mr. Leffler,

Ordered, That said Reports do lie on the table.

A motion was made by Mr. Whitaker, to take from the table No. 8, C. F. A bill amendatory to an act entitled "An act to authorize John R. Sparks and his associates to erect a dam across the Des Moines river.

And the question being put—was determined in the affirmative.

A motion was then made by Mr. Whitaker, that said bill be read a third time on to-morrow.

And the question being put—was determined in the negative.

Yeas 11—Nays 12.

The yeas and nays being desired by two members—

Those who voted in the affirmative were, Messrs. Biggs, Booth, Campbell, Grant, McCulloch, Patterson, Quinton, Toole, Whitaker, Wilson and Lewis, Speaker.

Those who voted in the negative, were Messrs. Blair, Denson, Felkner, Hebard, Hepner, Holliday, Leffler, Morgan, Moss, Porter, Smead, and Weld.

So the motion was lost.

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table until Monday next.

On motion of Mr. Leffler,

The House adjourned.

Friday Morning, December 17, 1841.

Mr. Leffler presented the petition of George C. Collins, praying to be divorced from his wife, Ann; which,

On motion, was referred to a Select Committee, consisting of the Delegation of Des Moines county.

On motion of Mr. Wilson,

Mr. Smead, from Henry county, was added to said Committee.

Mr. Moss presented the petition of sundry citizens of Iowa City, asking the Legislature to memorialize Congress on the subject of establishing a mail route from Galena, Illinois, via Bellview, Jackson county, to Iowa City: And, also, to memorialize the Post Master General, in relation to the establishment of certain Post Offices.

Ordered, That said petition be referred to the Committee on Mail Routes.

Mr. Hebard offered the following:

Resolved, (the Council concurring herein,) That this House adjourn on Wednesday, 22d inst., until Monday, the 3d of January, 1842.

And the question being put, Will the House adopt the Resolution? Was determined in the affirmative—Yeas 16, Nays 7.

The yeas and nays being desired by two member,

Those who voted in the affirmative were, Messrs. Blair, Booth, Denson, Felkner, Grant, Hebard, Hepner, Holliday, Leffler, Morgan, Porter, Quinton, Smead Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Campbell, McCulloch, Moss, Patterson, Weld, and Whitaker.

So the Resolution was adopted.

Mr. Grant, from the Committee on the Judiciary, to which was recommitted No. 8, H. R. File, "A Bill to amend an act entitled 'An Act to prohibit the selling of spirituous liquors to the Indians.'" reported the same back to the House with amendments.

A motion was made by Mr- Leffler, that said bill be engrossed and read a third time on to-morrow.

And the question being put—was determined in the affirmative:
Yeas 14, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were—Messrs. Blair, Booth, Felkner, Grant, Hebard, Hepner, Leffler, McCulloch, Morgan, Moss, Porter, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative were—Messrs. Biggs, Campbell, Denson, Holliday, Patterson, Quinton, Toole, Weld, and Whitaker.

So the bill was ordered to be engrossed and read a third time on to-morrow.

Mr. Morgan, from the Committee on Engrossed Bills, reported No. 1, H. R. File, as correctly engrossed.

Mr. Biggs, from the Committee on Claims, made the following report:

The Committee on Claims, to which was referred the claim of James K. Moss, for costs and expenses incurred in a suit commenced by him, contesting the right of Thomas Cox, to a seat in this House; ask leave to report, that, after as full an investigation of the subject as circumstances will permit, and justice seems to require; they have come to the conclusion, that sufficient provision is made for the case in the act providing for, and regulating general elections. They would, therefore, ask to be discharged from the further consideration of the subject.

The report was concurred in.

Mr. Felkner, from the Committee on Corporations, reported No. 10, H. R. File, "A bill to authorize William and Vincent G. Smith, to keep a Ferry across the Mississippi river, in Jackson county," which was read a first time.

Ordered, That the printing of said bill be dispensed with.

No. 6, H. R. File, "A bill to locate a Territorial road from Keokuk, in Lee county, to Fairfield, in Jefferson county, was read a second time.

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 9, H. R. File, "A bill to incorporate the town of Mount Pleasant," was read a second time.

A motion was made by Mr. Porter, that the bill be committed to the Committee of the whole House:

The motion was lost.

On motion of Mr. Leffler,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 4, C. F. "A bill authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial Road established from Iowa City to Prairie du Chien that passes through the town of Marion, in said county; was read a second time.

Ordered, That said bill be read a third time on to-morrow.

No. 12, C. F. "A Joint Resolution instructing J. T. Fales and James W. Woods to employ special messengers to carry letters, &c., from Iowa City to Dubuque, by way of Marion," was read a second time.

Several amendments being made to said resolution, it was,

On motion of Mr. Porter,

Indefinitely postponed.

No. 10, C. F. "A bill to divorce John Haynes from Celia Haynes, was read a third time.

The question being put, Shall the bill pass!

Pending which,

Mr. Hepner moved a call of the House, which was had, and, upon calling the roll, Mr. Porter was found to be absent.

The Sergeant-at-arms was then directed to require the attendance of the absentee.

After some time, the absentee appearing, the further call of the House was, on motion, suspended.

The question was then put, Shall the bill pass? and determined in the affirmative—Yeas 13, nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, McCulloch, Patterson, Porter, Quinton, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hebard, Holliday, Leffler, Morgan, Moss, Weld, and Wilson.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 11, C. F. "A Memorial to Congress praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa, and the State of Missouri, in relation to the southern boundary line;"

No. 15, C. F., "Resolution in relation to the purchase of Indian country."

No. 1, H. R. File, "A Joint Resolution to provide for the sale of the surplus copies of the Statutes of this Territory, were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Weld gave notice, that on Monday, or some subsequent day, he would ask leave to introduce a bill to amend an act entitled "An Act supplementary to an act to authorize evidence by the oath of parties;" also, "An act to amend an act to provide for the support of illegitimate children.

On motion of Mr. Hebard,

Ordered, That a Select Committee of three be appointed to revise the act for the organization of townships, and that said Committee report by bill or otherwise.

Whereupon, Messrs. Hebard, Booth, and Smead, were appointed said Committee.

Mr. Felkner gave notice that he would, on some future day, introduce a bill to incorporate the first Presbyterian Church in Iowa City.

On motion of Mr. Leffler,

The House adjourned.

Saturday Morning, December 18, 1841.

A message from the Council, by Mr. Woods, their Secretary—

M. Speaker—The Council have passed

No. 3, C. F. A bill entitled "An act supplementary to an act providing for the appointment of a Superintendent of Public Buildings at Iowa City, and the appointment of a Territorial Agent, and for other purposes."

No. 18, C. F. "A Memorial to Congress for an appropriation of fifty thousand dollars, to improve the Iowa and Cedar rivers."

No. 21, C. F. "Joint resolution requesting our Delegate in Congress to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution."

No. 23, C. F. "A bill to establish and locate a Territorial Road from Marion, in Linn county, to Bellview via Edinburgh, in Jackson county."

In which they ask the concurrence of the House of Representatives.

The Council have concurred in the resolution of the House of Representatives, to adjourn on Wednesday the 22d instant, until Monday the 3d of January, 1842.

And then he withdrew.

Mr. Porter presented the petition of sundry citizens of Henry, Jefferson, and Washington counties, asking the establishment of a Territorial Road, from York's Ferry, in Jefferson county, via Brighton, &c., to Western City, in Washington county; thence the nearest and best route to the Western boundary line of the Territory.

Ordered, That said petition be referred to the delegations from Henry, Jefferson, and Washington counties.

On motion of Mr. Leffler,

Resolved, That the Superintendent of Public Instruction, be permitted to take a seat within the bar of this House at pleasure.

Mr. Porter, from the Select Committee, to which a certain petition was referred, reported No. 11, H. R. File, "A bill to locate a Territorial road from Deeds' mill, on Skunk river, to the boundary line.

Which was read a first time.

On motion of Mr. Porter,

Ordered, That the 44th rule be suspended and the bill be read a second time now.

Said bill was then read a second time, and ordered to be engrossed for a third reading on Monday next.

Mr. Hebard, from the Committee on Engrossed Bills, reported

Nos. 6, 8, and 9, H. R. File, as correctly engrossed.

Mr. Moss, in accordance with previous notice, introduced

No. 12, H. R. File, "A bill to district the county of Jackson into County Commissioners' Districts;"

Which was read a first time.

Ordered, That the printing of said bill be dispensed with.

No. 10, H. R. File, "A bill to authorize William and Vincent G. Smith, to keep a Ferry across the Mississippi river, in Jackson county;"

Was read a second time.

On motion of Mr. Moss,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Wilson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table until Tuesday next.

No. 4, C. F. "A bill authorizing the Commissioner's of Linn county, to re-locate all that portion of the Territorial Road, established from Iowa City to Prairie du Chien, that passes through the town of Marion, in said county."

No. 6, H. R. File, "A bill to locate a Territorial Road from Keokuk, in Lee county, to Fairfield, in Jefferson county."

No. 9, H. R. File, "A bill to incorporate the town of Mount Pleasant."

Were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 8, H. R. File, "A bill to amend an act entitled An act, to prevent the selling of spirituous liquors to the Indians;"

Was read a third time.

And the question being put, Shall the bill pass?

It was determined in the affirmative—Yeas 16, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Blair, Booth, Felkner, Grant, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Campbell, Denson, Quinton, Toole, Weld, and Whitaker.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. McCulloch,

Resolved, That Messrs. Patterson, Porter, Holliday, and Biggs be added to the Select Committee, to revise the law organizing townships.

Bills, &c., from the Council, of the following titles, to wit:

No. 3, A bill, entitled "An Act supplementary to an act, providing for the appointment of a Superintendent of Public Buildings at Iowa City; and the appointment of a Territorial Agent; and for other purposes."

No. 18, "Memorial to Congress for an appropriation of fifty thousand dollars, to improve the navigation of the Iowa and Cedar Rivers."

No. 21, "Joint Resolution, requesting our Delegate in Congress, to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution."

No. 23, "A bill to establish and locate a Territorial Road from Marion, in Linn county, to Bellview, via Edinburgh,"

Were severally read a first time.

A motion was made by Mr. Patterson, to re-consider the vote of yesterday, given on the passage of No. 11, C. F. "A Memorial to Congress praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the boundary line:"

And the question being put, was determined in the affirmative.

Ordered, That said Memorial be referred to the Committee on the Judiciary.

Mr. Felkner, in accordance with previous notice, introduced No. 13, H. R. File: "A Bill to incorporate the first Presbyterian Church of Iowa City;" which was read a first time.

A motion was made by Mr. Felkner, to suspend the 44th rule, and the bill be read a second time now.

The motion was lost.

Mr. Booth, on leave, introduce No. 14, H. R. File, "A bill to incorporate the Mechanics' Institute, of Dubuque;" which was read a first time.

Ordered, That the printing of said bill, be dispensed with.

A motion was made by Mr. Biggs, to re-consider the vote of yesterday, in concurring in the report of the Committee on Claims, on the subject of costs incurred in the contested election of Thomas Cox, by James K. Moss:

The motion was lost.

On motion of Mr. Leffler,

The House adjourned.

Monday Morning, December 20, 1841.

On motion of Mr. Booth,

Resolved, That Avery Thomas, publisher of the "Miners' Express," in the city of Dubuque, be, and he is hereby authorized to print the usual number of copies of the Journal of this House in pamphlet form, and have the same ready for distribution within six months after the close of the present session; and that he be allowed such compensation for the work as shall be fixed hereafter by this House,

On motion of Mr. Grant,

Ordered, That the Committee on the judiciary, be instructed to enquire by what law the District courts of this Territory, entertain jurisdiction in civil cases; and if, in their opinion, no law is now in force; that the said Committee report to this House, a bill limiting and establishing the jurisdiction of said courts.

A Message from the Council, by Mr. Woods, their secretary:

Mr. Speaker:—The Council have passed No. 7, H. R. File, "An act to locate a Territorial road from West Point in Lee county, to the landing on the Des Moines river, opposite St. Francisville, Mo.

Also; No. 16, C. F., "A Bill for an act to attach the Indian country, lying West and North, to the several organized counties of this Territory, which it adjoins, for judicial purposes.

No. 20, C. F., "A Bill to incorporate the Iowa City Mechanics' Mutual Aid Association."

No. 26, C. F. "A Bill to legalise the election of George L. Coe, as Judge of Probate in Louisa county; in which they ask the concurrence of the House of Representatives."

They have also, passed the following resolution:

Resolved, the House concurring herein, That the Council adjourn on the 22nd inst., until the 3rd day of January 1842.

And then he withdrew.

Mr. Grant gave notice that he would, on to-morrow, or some day thereafter, introduce a Bill to appoint an Agent to receive, from the United States, the proportion of money which will be due to the Territory of Iowa, under the act of Congress, of 4th of September, 1841.

Mr. Morgan, from the Committee on engrossed bills; reported No. 11, H. R. File, as correctly engrossed.

Mr. Grant, from the Committee on the judiciary, to which was referred No. 11, C. F., "A Memorial to Congress, praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the Southern boundary line:" reported the same back to the House with amendments, which was read a first time.

Mr. Grant, from the Committee on the judiciary, reported No. 15, H. R. File, "A Bill for an act to amend an act, entitled an act regulating proceedings in criminal cases;"

Which was read a first time.

Mr. Grant, in accordance with previous notice, introduced No. 16, H. R. File, "A Bill for an act to enable the people of the Territory of Iowa, to form a Constitution and State Government;" which was read a first time.

A motion was made by Mr. Biggs, that the printing of said Bill be dispensed with: The motion was lost.

No. 12, H. R. File, 'A Bill to district the county of Jackson, into County Commissioner's districts;' was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 13, H. R. File, 'A Bill to incorporate the first Presbyterian Church of Iowa City;' was read a second time.

Ordered, That said bill be referred to the Committee on corporations.

No. 14, H. R. File, 'A Bill to incorporate the Mechanics' Institute of Dubuque;' was read a second time.

On motion of Mr. Porter,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Biggs reported that the Committee had, according to order, had said Bill under consideration, and instructed him to report the same without amendment.

Ordered, That said Bill be engrossed for a third reading on to-morrow.

A Message from the Council, by Mr. Woods their Secretary:

Mr. Speaker:—The Council have passed No. 19, C. F., 'A resolution authorizing payment to be made to Messrs. Russell & Hughes, and William W. Corriell, for printing the Journals of the Council and House of Representatives;' and

No. 24, C. F., 'A Bill to incorporate the first Universalist Society of Iowa City;' in which the concurrence of the House of Representatives, is requested:

And then he withdrew.

No. 3, C. F., 'A Bill to be entitled an act supplementary to an act, providing for the appointment of a Superintendant of Public Buildings at Iowa City; and the appointment of a Territorial Agent, and for other purposes;' was read a second time.

On motion of Mr. Hepner,

Ordered, That said Bill be referred to the Committee on Territorial affairs.

No. 18, C. F., 'Memorial to Congress for an appropriation of fifty thousand dollars, to improve the navigation of the Iowa and Cedar Rivers;' was read a second time, and,

On motion of Mr. Porter

Was referred to the Committee on memorials.

No. 21, C. F., 'A Joint Resolution, requesting our Delegate in Congress, to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution;' was read a second time.

On motion of Mr. Biggs,

Ordered, That said resolution be referred to the Committee on Territorial affairs.

No. 23, C. F., 'A Bill to establish and locate a Territorial road from Marion, in Linn county, to Bellview, in Jackson county, via, Edinburgh;' was read a second time.

On motion of of Mr. Moss,

Ordered, That said Bill do lie upon the table until the 3rd day of January, next.

No. 8, C. F., 'A Bill amendatory to an act, entitled an act to authorize John R. Sparks, and his associates, to erect a dam across the Des Moines river;' being the order of the day, was taken up, and the question being put, 'Shall the Bill be read a third time? It was determined in the affirmative.

Said Bill was then read a third time.

The question then being; Shall the Bill pass? Pending, which,

On motion of Mr. Biggs,

The House adjourned until 2 o'clock P. M.

Two O'Clock, P. M.

Mr. Patterson asked leave of absence for Mr. Quinton.

Leave was granted.

Mr. Porter asked leave of absence for Messrs. Smead and Leffler.

The House granted leave.

The question pending at the adjournment of the forenoon's session being on the passage of No. 8, C. F., A bill amendatory to an act entitled "An act to authorize John R. Sparks and his associates to build a dam across the Des Moines river," and previous to the same being put,

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table until the 4th day of January next.

No. 11, H. R. File, A Bill to locate a Territorial road from Deed's mill, on Skunk river, to the boundary line: was read a third time, passed, and title agreed, to.

Ordered, That the clerk acquaint the Council therewith.

The Resolution from the Council to adjourn on the 22d inst. until the 3d day of January, was taken up and concurred in.

Bills, &c. from the Council of the following titles, to wit:

No. 16—A bill for an act to attach the Indian country west and north to the several organized counties of this Territory which it adjoins, for judicial purposes.

No. 19—A Resolution authorizing payment to Messrs. Russell & Hughes, and William W. Coriell, for printing the Journals of the Council and House of Representatives.

No. 20—A bill to incorporate the Iowa City Mechanics' Mutual Aid Association.

No. 24—A bill to incorporate the first Universalist Society of Iowa City.

No. 26—A bill to legalize the election of George L. Coe as Judge of Probate in Louisa county;

Were severally read a first time.

On motion of Mr. Moss,

The House adjourned.

Tuesday Morning, December 21, 1841.

Mr. Denson, in accordance with previous notice, introduced

No. 17, H. R. File, "Joint Resolution, requesting our Delegate in Congress to procure an appropriation to improve the navigation of the Wapesipenicon and Maquoqueta rivers;" also,

No. 18, H. R. File, "Joint Resolution requesting our Delegate in Congress to procure an appropriation to improve the National Bridge across the Wapesipenicon river, and also to build one across the Maquoqueta river;" which was read a first time.

Ordered, That the printing of said resolutions be dispensed with.

Mr. Felkner, from the Committee on Corporations, to which a certain petition on the subject was referred, reported

No. 19, H. R. File, "A bill to authorize Martin W. Smith to keep a ferry across the Mississippi river, in Scott county."

Which was read a first time.

On motion of Mr. Hepner,

Ordered, That the printing of said bill be dispensed with.

Mr. Booth, from the Committee on Territorial Affairs, to which was referred "No. 21, C. F. "A Joint Resolution, requesting our Delegate in Congress to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution;"

Reported the same back to the House without amendment.

Mr. Morgan, from the Committee on Engrossed Bills, reported Nos. 12 and 14, H. R. File, as correctly engrossed.

Mr. Hepner, from the Committee on Enrolled Bills, reported, "An act to locate a Territorial Road from West Point, in Lee county, to the landing on the Des Moines river, opposite St. Francisville, Mo." as correctly enrolled.

The Speaker then signed said act.

No. 11, C. F. "A Memorial to Congress praying for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the southern boundary line," was read a second time.

On motion of Mr. Hepner,

Ordered, That said Memorial be read a third time on to-morrow.

No. 16, C. F. "A bill for an act to attach the Indian country, lying west and north, to the several organized counties of this Territory which it adjoins, for judicial purposes;" was read a second time.

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 19, C. F., "A resolution authorizing payment to be made to Messrs. Russell & Hughes and Wm. W. Coriell, for printing the Journals of the Council and House of Representatives;"

Was read a second time.

A motion was made by Mr. Booth, that said resolution be referred to the Committee of the whole House.

The motion was lost.

On motion of Mr. Porter,

Ordered, That said resolution be referred to the Committee on Claims.

No. 20, C. F. "A bill to incorporate the Iowa City Mechanic's Mutual Aid Association;" was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Whitaker reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

On motion of Mr. Felkner,

Ordered, That the 44th rule be suspended and the bill be read a third time now.

Said bill was then read a third time.

And the question being put, Shall the bill pass? It was determined in the affirmative—Yeas 19, nays 1.

The yeas and nays being desired by two members,

Those who voted in the affirmative were—Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Higginson, Holliday, McCulloch, Morgan, Moss, Porter, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Mr. Hepner voting in the negative.

So the bill passed.

A motion was made by Mr. Hepner, to amend the title so as to read "An Act to incorporate the Iowa City Mechanic's Mutual Aid Association, and for other purposes."

The motion was lost.

The title was then agreed to, and the Clerk ordered to acquaint the Council of the passage of said bill.

A message from the Council, by Mr. Woods, their Secretary—

M. Speaker—The Council have passed, with an amendment,

No. 1, H. R. File, "A Joint Resolution, to provide for the sale of the surplus copies of the Statutes of this Territory;" and have also passed,

No. 27, C. F. "Memorial to Congress for the establishment of a Land Office at Marion, in Linn county,"

In which they ask the concurrence of the House.

I herewith present for your signature,

An act authorizing the Commissioners of Linn county to re-locate all that portion of the Territorial Road established from Iowa City to Prairie du Chien, that passes through the town of Marion, in said county.

An act to divorce John Haynes from Celia Haynes.

And a resolution in relation to purchase of Indian country.

And then he withdrew.

The Speaker then signed the above named acts and resolution.

No. 24, C. F. "A bill to incorporate the first Universalist Society in Iowa City," was read a second time.

A motion was made by Mr. Felkner, that the 44th rule be suspended and the bill be read a third time now.

And the question being put,

Was determined in the affirmative—Yeas 14, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Higginson, Holliday, McCulloch, Moss, Toole, Whitaker, and Wilson.

Those who voted in the negative were, Messrs. Grant, Hepner, Morgan, Porter, Weld, and Lewis, Speaker.

So the rule was suspended, and the bill read a third time.

A motion was made by Mr. Hepner, that the bill be committed to the Committee on Corporations, with instructions to report a general law in relation to incorporating religious societies.

To which the House agreed.

No. 26, C. F. "A bill to legalize the election of George L. Coe, as Judge of Probate, in Louisa county," was read a second time.

Ordered, That said bill be read a third time on to-morrow.

No. 16, H. R. File, "A bill for an act to enable the people of Iowa to form a Constitution and State Government;', was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill be referred to the Committee on Territorial Affairs.

No. 10, H. R. File, "A bill to authorize William and Vincent G. Smith to keep a Ferry across the Mississippi river, in Jackson county;"

Was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be engrossed for a third reading on to-morrow.

No. 12, H. R. File, "A bill to district the country of Jackson into three County Commissioner's Districts;"

Was read a third time, passed, and title agreed to.

No. 14, H. R. File, "A bill to incorporate the Mechanic's Institute of Dubuque;"

Was read a third time, passed, and title agreed to.

Ordered, That the Clerk request the concurrence of the Council.

No. 1, H. R. File, "A Joint Resolution, to provide for the sale of the surplus copies of the statutes of this Territory;" being returned from the Council with an amendment, was taken up, and, on motion, the amendment was concurred in.

No. 27, C. F. "Memorial to Congress for the establishment of a Land Office at Marion, in Linn county;" was read a first time.

On motion,

The House adjourned.

Wednesday Morning, December 22, 1841.

Mr. Booth presented the petition of sundry citizens of Jones, Delaware and Linn counties, asking the establishment of a Territoral Road from the Tetes De Mort, to the falls of the Maquoqueta, thence to Marion in Linn county.

Mr. Booth presented the petition of sundry citizens, praying the establishment of a Territorial Road from the seat of Justice of Delaware county, thence by way of Dillon's Mill, to the Falls on the Maquoqueta river, at the town of West Cascade.

Ordered, That said petitions be referred to the Committee on Roads and Highways.

Mr. Morgan, from the Committee on Engrossed Bills, reported No. 10, H. R. File, as correctly engrossed.

Mr. Toole, from the Committee on Enrolled Bills, reported A Joint Resolution to provide for the sale of the surplus copies of the Statutes of this Territory, as correctly enrolled.

The Speaker then signed said resolution.

No. 15, H. R. File, "A bill for an act to amend an act, entitled, 'An act regulating criminal proceedings,' passed January 4, 1839, was read a second time.

On motion of Mr. Weld,

Ordered, That said bill do lie upon the table until the 4th of January next.

No. 17, H. R. File, "A Joint Resolution, requesting our Delegate in Congress, to procure an appropriation to improve the navigation of the Wapesipenicon and Maquoqueta rivers;' was read a second time.

Ordered, That said bill do lie upon the table until the 4th of January next.

No. 18, H. R. File, "Joint Resolution, requesting our Delegate in Congress to procure an appropriation to improve the National Bridge across the Wapesipenicon river;" and also, to build one across the Maquoketa river; was read a second time, and,

On motion of Mr. Felkner,

Referred to the Committee on Memorials.

No. 19, H. R. "A bill to authorize Martin W. Smith to keep a Ferry across the Mississippi river, in Scott county;"

Was read a second time, and.

On motion of Mr. Moss,

Ordered, To be engrossed and read a third time on the 4th day of January next.

No. 21, C. F. "Joint Resolution, requesting our Delegate in Congress, to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution;"

Was read a second time.

On motion of Mr. Toole,

Ordered, That the 44th rule be suspended, and the resolution be read a third time now.

Said resolution was then read a third time, passed, and title agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

No. 27, C. F. 'Memorial to Congress for the establishment of a Land Office at Marion, in Linn county;' was read a second time.

On motion of Mr. Higginson,

Ordered, That said Memorial, be referred to the Committee on Memorials.

No. 11, C. F. "A Memorial to Congress, praying for an appropriation to defray the expenses growing out of the dispute between the United States, within the Territory of Iowa and the State of Missouri, in relation to the southern boundary line;"

Was read a third time, passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 26. C. F. "A bill to legalize the election of George L. Coe, as Judge of Probate, in Louisa county;" and,

No. 10, H. R. File, "A bill to authorize William and Vincent G. Smith, to keep a Ferry across the Mississippi river, in Jackson county;" were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk notify the Council accordingly.

On motion of Mr. Weld,

The House adjourned until the 3rd day of January, 1842, agreeable to the resolution previously passed.

Monday Morning, January 3, 1842.

Mr. Grant presented the petition of sundry citizens of Scott county, praying the incorporation of a company to construct a Canal from the mouth of Duck creek, on the Rapids of the Mississippi river, for the creation of water power, to some suitable point on said river, at or near Davenport.

Ordered, That said petition be referred to the Committee on corporations.

Mr. Booth presented the petition of sundry citizens of the city of Dubuque, praying the incorporation of an insurance company at said place.

On motion of Mr. Booth,

Ordered, That said petition be referred to a select Committee;

Whereupon, Messrs. Booth, Smead and Grant were appointed said Committee.

Mr. Robertson presented the petition of sundry citizens of Scott county, asking the Legislature to grant a divorce to H. E. W. East and his wife Sarah East.

On motion of Mr. Robertson.

Ordered, That said petition be referred to a select Committee.

The Speaker appointed Messrs. Robertson, Hepner and Moss said Committee.

The Speaker laid before the House the remonstrance of sundry citizens of the county of Delaware, remonstrating against the formation of any new county out of certain portions of Dubuque, Jackson, Jones, and Delaware counties.

Ordered, That said remonstrance do lie upon the table.

On motion of Mr. Hepner,

Resolved, That the Director and Superintendent of the Penitentiary be and they are hereby instructed to report, jointly, to this House, as soon as possible, the probable cost of completing said Penitentiary, and that it be the duty of the Chief Clerk, to forward a copy of this resolution to the Director and Superintendent.

On motion of Mr. Hepner,

Resolved, That the Territorial Agent be and he is hereby instructed to report to this House the balance due the Territory on forfeited lots, in conformity with the conditions of the several sales.

And resolved further, That said Agent report a copy of any instrument of writing he may have given in procuring the loan of money spoken in the annual report of said Agent, and that the Chief Clerk furnish the Agent with a copy of this resolution.

On motion of Mr. Hepner,

Resolved, That the Superintendent of the Public Buildings at Iowa City be and he is hereby instructed to report to this House an estimate of the probable cost of completing said building, together with an estimate of the probable cost of finishing the room intended for the Secretary's office and that for the holding of the Supreme Court, with two Committee rooms for the reception of the Legislature next winter, the dimensions of said rooms, &c. &c., and that the Chief Clerk furnish the Superintendent with a copy of this resolution.

Mr. Whitaker, from the Committee appointed to examine the records, reported the Journals to be correctly recorded up to December 21, 1841.

Mr. Weld, in accordance with previous notice, introduced No. 20, H. R. File, "A Bill for an act supplementary to an act entitled an act to authorize evidence by the oath of parties."

Mr. Weld, in accordance with previous notice, introduced No. 21, H. R. File, "A Bill to amend an act to provide for the support of illigitimate children."

Said bills were severally read a first time.

No. 23, C. F. "A Bill to establish and locate a Territorial road from Marion in Linn county to Bellview via Edinburg;" was read a second time.

On motion of Mr. Moss,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Booth reported that the Committee had, according to order, had said bill under consideration and instructed him to report the same with an amendment; to which the House agreed.

On motion of Mr. Hepner,

Ordered, That said bill be read a third time on to-morrow.

No. 19, H. R. File, "A Bill to authorize Martin W. Smith to keep a ferry across the Mississippi river in Scott county;"

Was read a third time, passed and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Weld gave notice that on Tuesday or some future day he would introduce a bill to amend an act entitled an act to provide for the organization of townships, approved January 10, 1840.

Mr. Whitaker, in accordance with previous notice, introduced No. 22, H. R. File, "A Bill defining a lawful fence and providing against trespassing animals;" which was read a first time.

On motion of Mr. Grant,

Ordered, That the Committee on roads and highways be instructed to inquire into the expediency of passing a law to give the several county Commissioners in each county in this Territory the same powers and control over Territorial roads running through their respective counties, which they now have over county roads; and that they report to this House by bill or otherwise.

Mr. Robertson gave notice that he would on to-morrow or some future day introduce a Memorial to Congress for the establishment of a mail route from Dixon, Illinois, to cross the Mississippi at Rockingham, Scott couty, Iowa, thence via Tipton and Washington ferry, in Cedar county, to Iowa City.

On motion of Mr. Biggs,

The House adjourned.

Tuesday Morning, January 4, 1842.

Mr. Grant, in accordance with previous notice, introduced,

No. 23, H. R. File, "A bill for an act to provide for receiving the money to which the Territory of Iowa will be entitled under the distribution bill, and for other purposes;"

Which was read a first time.

Mr. Hepner, from the Committee on Memorials, reported back to the House, No. 2, C. F. "Memorial to Congress for an appropriation to complete the Penitentiary," with amendments.

Mr. Robertson, from the majority of the Select Committee, to which the subject was referred, reported,

No. 24, H. R. File, "A bill to divorce Sarah East, from her husband Hardman E. W. East;"

Which was read a first time.

On motion of Mr. Whitaker,

Ordered, That said bill do lie upon the table until Monday next, and the printing of the same be dispensed with.

Mr. Patterson, from the Committee on Roads and Highways, reported

No. 25, H. R. File, "A bill to provide for levying a tax on real and personal property for road purposes;"

Which was read a first time.

Mr. Hepner, from the Committee on Memorials, reported,

No. 3, C. F. "Preamble and Resolution, requesting our Delegate in Congress, to use his influence to procure a donation of lands for School purposes, in the Half Breed Sac and Fox reservation," back to the House without amendment.

Mr. Patterson, from the Committee on Roads and Highways, to which the resolution of yesterday was referred, instructing them to inquire into the expediency of passing a law, giving the several Boards of County Commissioners in each county in this Territory, the same powers and control over Territorial Roads running through their respective counties, &c., reported, That the Committee had had the same under consideration, and deem it inexpedient to pass a law of that description, and would, in consequence, ask to be discharged from a further consideration of the subject.

The report was concurred in.

Mr. Robertson, in accordance with previous notice, introduced

No. 26, H. R. File, "Memorial to Congress for a mail route from Dixon, Ill., to Iowa City;"

Which was read a first time.

On motion of Mr. Moss,

Ordered, That the printing of said memorial be dispensed with.

Mr. Hepner, from the Joint Committee on Enrollments, reported, that they presented to his Excellency, the Governor, for his approval on the 3d instant,

"An Act, to locate a Territorial road from West Point, in Lee county, to the landing on the Des Moines river, opposite St. Francisville, Mo. Also,

"A Joint Resolution, to provide for the sale of the surplus copies of the Statutes of this Territory.

The Speaker laid before the House a communication from J. Williams, Territorial Agent, in answer to the resolution passed on yesterday, which was read, and,

On motion of Mr. Hepner,

Laid upon the table.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have concurred in the amendment made by the House of Representatives to No. 20, C. F. "An act to incorporate the Iowa City Mechanics' Mutual Aid Association."

The Council have disagreed to the first amendment made by the House to C. F. No. 11, ""A Memorial to Congress, for an appropriation to defray the expenses growing out of the dispute between the Territory of Iowa and the State of Missouri, in relation to the southern boundary line," and have agreed to the second and third amendments.

The Council have passed No. 6, H. R. File, "A bill to locate a Territorial Road from Keokuk, in Lee county, to Fairfield, in Jefferson county.

No. 31, C. F. "Preamble and Joint Resolution, requesting our Delegate to use his influence in procuring a change in the existing system of licensing traders to deal with the Indians, &c.

No. 21, C. F., "Memorial to Congress for an appropriation to complete the National Road from Dubuque to the Southern boundary of the Territory, via Iowa City, &c.

No. 34, C. F. "A bill to amend an act to district the Territory of Iowa into electoral districts, &c., approved July 30th, 1840.

In which they ask the concurrence of the House.

I herewith present for your signature, an act to incorporate the Iowa City Mechanics' Mutual Aid Association.

An act to legalize the election of George L. Coe, as Judge of Probate, in Louisa county, and,

A Joint Resolution, requesting our Delegate in Congress to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution.

And then he withdrew.

The Speaker then signed the above acts and resolution.

No. 15, H. R. File, "A bill for an act to amend an act entitled 'An act, regulating criminal proceedings, passed Jan. 4, 1839;"

Was read a second time.

On motion of Mr. Grant,

The House resolved itself into Committee of the whole House for the consideration of said bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, had made some progress, and instructed him to report the same, and ask leave to sit again on to-morrow.

Leave was granted.

On motion of Mr. Patterson,

The House adjourned until 2 o'clock P. M.

TWO O'CLOCK, P. M.

No. 17, H. R. File, "A Joint Resolution requesting our Delegate in Congress to procure an appropriation to improve the navigation of the Wapesipenicon and Maquoqueta rivers;"

Was read a second time.

On motion of Mr. Biggs,

Ordered, That said resolution do lie upon the table until Monday next.

No. 8, C. F. "A bill amendatory to an act, "entitled An Act to authorize John R. Sparks, and his associates, to build a dam across the Des Moines river, was taken up, and the question being,

Shall the bill pass?

Previous to the same being put,

Mr. Hepner moved a call of the House, which was had, and the roll being called, those members who failed to answer to their names were Messrs. Denson, Grant, Hebard, Leffler, and Morgan.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time,

On motion of Mr. Patterson,

A further call of the House was suspended.

And the question being put—was determined in the affirmative.

Yeas 16—Nays 5.

The yeas and nays being desired by two members—

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Higginson, Holliday, McCulloch, Patterson, Porter, Quinton, Robertson, Smead, Toole, Whitaker, Wilson. and Lewis, Speaker.

Those who voted in the negative, were Messrs. Blair, Felkner, Hepner, Moss, and Weld.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 20, H. R. "A bill for an act supplementary to an act, entitled, "An act to authorize evidence by the oath of parties;"

Was read a second time.

A motion was made by Mr. Hepner, that said bill be referred to the Committee on the Judiciary.

The motion was lost.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Grant reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed,

On motion of Mr. Biggs,

Ordered, That said bill be engrossed and read a third time to-morrow.

No. 21, H. R. File, "A bill for an act to amend an act, entitled, "An Act to provide for the support of illegitimate children;"

Was read a second time, and,

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

A motion was made by Mr. Grant to refer said bill to the Committee on Claims.

The motion was lost.

A motion was made by Mr. Hepner, to strike out all after the word "satisfaction," in the 15th line, to the word "and," in the 17th line.

The motion was lost.

On motion of Mr. Weld,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 22, H. R. File, A bill for an act defining a lawful fence, and to provide against trespassing animals, was read a second time.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Moss reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

To which the House agreed.

On motion of Mr. Whitaker,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

Mr. Weld, in accordance with previous notice, introduced

No. 27, H. R. File, "A bill to amend an act, to provide for the organization of townships;" which was read a first time.

On motion of Mr Weld,

Ordered, That the printing of said bill be dispensed with.

Mr. Grant gave notice that he would, on to-morrow, or some subsequent day, introduce a bill to provide for holding a special term of the Supreme Court.

Mr. Whitaker gave notice, that he would, on to-morrow, or some future day, introduce a bill to repeal an act, authorizing a loan of money to be expended on the Capitol.

Mr. Smead gave notice, that he would, on subsequent day, introduce a bill to incorporate a Literary Institution at Mount Pleasant, in Henry county.

On motion of Mr. Patterson,
The House adjourned.

Wednesday Morning, January 5th, 1842.

Mr. Denson presented the petition of sundry citizens of the counties of Dubuque, Jackson and Jones, asking the formation of a new county to be called "Warren," out of certain portions of the above counties.

On motion of Mr. Higgingson,

Ordered, That said petition be referred to the Committee on Townships and County Boundaries.

The Speaker laid before the House the petitions of sundry citizens of Jackson county, asking a review and relocation, by commissioners, of certain portions of the Territorial road running from Davenport to Dubuque.

Ordered, That said petitions be referred to the Committee on roads and highways.

The Speaker laid before the House the remonstrance of sundry citizens of Jackson county, remonstrating against any action of the Legislature in relation to the county seat of said county, also, against passing a law districting the county into County Commissioners' districts.

Ordered, That said remonstrance do lie upon the table.

Mr. Quinton presented the petition of Naomi Williams praying to be divorced from her husband Edward Y. Williams.

On motion of Mr. Quinton,

Ordered, That said petition be referred to a select Committee.

Whereupon, Messrs. Quinton, Wilson and Felkner were appointed said Committee.

Mr. Baker presented the petition of Rachael Holcomb, widow of Milo Holcomb, deceased, asking a law to be passed authorizing her to sell certain real estate, as administratrix of the property of said Holcomb.

Ordered, That said petition be referred to a select Committee.

Whereupon, The Speaker appointed Messrs. Baker, Porter and Whitaker said Committee.

On motion of Mr. Grant.

Ordered, That the Committee on Agriculture be instructed to inquire into the expediency of passing a law to appropriate the sum of one thousand dollars, or such other sum as Congress may grant for that purpose to the several counties of this Territory, for the promotion of Agriculture, and that they report to this House by Bill or otherwise.

Mr. Grant gave notice that, on some day hereafter, he would introduce a bill for an act to legalize the acts of the County Commissioners of Clinton county, in relation to the sale of lots in the county seat thereof.

On motion of Mr. Wilson,

Ordered, That the Select Committee which was appointed for the revision of the Revenue law, inquire into the expediency of so altering said law as to require any person who may wish to retail ardent spirits in any township, town, or city in this Territory to first obtain the consent of a majority of the legal voters of said township, &c., and that they report by bill or otherwise.

Mr. Morgan, from the Committee on Engrossed Bills, reported Nos. 20, 21, and 22, H. R. File, as correctly engrossed.

Mr. Biggs, from the Select Committee appointed to revise the Revenue laws, reported

No. 28, H. R. File, "A bill to amend the act organizing a Board of County Commissioners in each county in the Territory;"

Which was read a first time.

Mr. Hepner, from the Joint Committee on Enrollments, reported, that they had presented to the Governor, on the 4th instant, for his approval—

"An act to incorporate the Iowa City Mechanic's Mutual Aid Association.

"An act to legalize the election of George L. Coe, as Judge of Probate, in Louisa county;" and,

"A Joint Resolution, requesting our Delegate in Congress to procure an appropriation to defray the expenses of a Convention for the formation of a State Constitution."

Mr. Patterson, from the Committee on Roads and Highways, reported

No. 29, H. R. File, "A bill to establish and locate a Territorial Road from the county seat of Delaware county, to the town of West Cascade, in Jones county.

Mr Patterson, from the Committee on Roads and Highways, reported

No. 30, H. R. File—A bill to locate and establish a Territorial Road from Marion, in Linn county, to the mouth of the Téte dé Morte in Jackson county.

Said bills were severally read a first time, and the printing of the same dispensed with.

Mr. Booth from the Committee of Territorial Affairs, to which was referred C. F. No. 3—A bill to be entitled, An Act supplementary to an act providing for the appointment of a Territorial Agent, and for other purposes, reported the same back to the House with sundry amendments, and asked to be discharged from the further consideration of the subject.

The report was concurred in.

The Speaker laid before the House a communication from Chauncey Swan, Superintendent of Public Buildings, which was read, and

On motion of Mr. Hepner,

Ordered, That said communication, together with that of the Territorial Agent received on yesterday, be entered upon the Journal. Said reports read as follows, to wit:

SUPERINTENDENT'S OFFICE, JANUARY 5th, 1842.

To the Hon. Warner Lewis, Speaker of the House of Representatives:

SIR:—I have had the honor to receive the following resolution by the hands of the Chief Clerk of the House of Representatives.

Resolved, That the Superintendent of the Public Buildings at Iowa City be and he is hereby instructed to report to this House an estimate of the probable cost of completing said Buildings, together with an estimate of the probable cost of finishing the room intended for the Secretaries' office and that for the holding of the Supreme Courts, with two Committee rooms for the reception of the Legislature next winter, the dimensions of said rooms, &c. &c. And the Chief Clerk furnish the Superintendent with a copy of this resolution.

In compliance with the above resolution I have the honor to transmit the following estimate made with as much care and accuracy, as was in my power to do, in so short a time, as I have had to do the same.

I have thought proper to be specific, and give the different items and cost of each.

Quarrying the rock to finish the Building up to the square,	$300,00
Quarrying the rock for the Pilaster Caps, and for the Architrave and for the hauling of the same,	3575,00
To complete the framing of the roof and placing the same on the Building including cost of shingles and the balance of the entablature (or cornice.)	4550,00
For cutting and setting the above rock for the reception of the roof including inside brick walls and backing for the cornice,	2475,00
Glass and nails to complete Building,	2850,00
Doors including frames,	400,00
Plastering the Building,	2500,00
Laying all the floors (the lumber being on hand)	1080,00
8 cast iron columns,	800,00
Placing the same on the foundation and filling in with brick,	200,00
The Architrave for the above columns including the balance of the entablature to correspond with the cornice of the main building on each portico, and the flaging rock steps and iron railing each $2875,00	5,750,00
The galleries of the Council Chamber and House of Representatives,	2000,00
Stairs from the basement of the dome, including lumber for the same,	2250,00
The dome and finish of the same to consist of eight Corinthian columns, a metalic covering for the roof, and glass windows, with the work necessary to support the same from the second story,	2850,00
Add to the above estimate, cost of lumber not on hand, which will be necessary to complete the same	1750,00
Total,	$33,330,00

Agreeable to the above estimate, $15600,00 will complete two rooms for the use of the Legislative Assembly 43 by 22 1-2 feet each, and four other rooms on the same floor 21 by 22 1-2 feet each; the expense of finishing the four last mentioned rooms, will be a small sum more than finishing of two as mentioned in the resolution, in as much as the first and second floors will have to be laid the whole extent of the building.

It will be perceived from the above estimate, that to complete rooms as suggested, is nearly half the expense of finishing the Capitol; the largest amount of the expenses to be incurred after the above rooms are finished, will be in consequence of the porticos and dome, which may be dispensed with at present and added to the building at any future time. I would respectfully suggest the propriety of authorizing the giving of pre-emptions on town-lots, to those who actually improve them and are desirous of paying for the same in work on, or materials for the public buidings at Iowa City—as I am firmly of the opinion that such a course would make lots more available for the purpose for which they are intended, than they can be made under existing laws. All of which is respectfully submitted.

I am, respectfully,
Your ob't. serv't.
C. SWAN,
Supt. Pub. Buildings, Iowa City.

N. B. The estimate as made above, is for a wooden cornice above the Architrave.

OFFICE OF TERRITORIAL AGENT,
Iowa City, January 4, 1842.

To the Honorable House of Representatives
Of the Legislative Assembly:

GENTLEMEN:—I have the honor to acknowledge the receipt of two Resolutions, which passed the House on yesterday, instructing me to report, first, "the balance due the Territory on forfeiting lots in conformity with the conditions of the several sales;" second, "to report a copy of any instrument of writing he (I) may have given in procuring the loan of money spoken of in the annual report of said Agent."

An answer to the first Resolution, I will state, that the amount yet due on lots which have become forfeited to the Territory agreeably to the conditions of sales, and where *all* the payments have become due, under the conditions of the several sales under which the same were sold, amounts to $7,670 54.

For further particulars relative to the lots alluded to, I would respectfully refer you to Abstract marked "A," which accompanied my Annual Report to the Legislative Assembly, dated the 12th ult. This statement was compiled wth great care, and was intended to exhibit as near as practicable the condition of all the lots which were sold in the city prior to 1841.

I would here state that doubts are entertained whether the lots sold by the Acting Commissioner, at the first and second sales held in this city in 1839, can be regarded and sold as forfeited lots, owing to the form of the certificates made use of. A number of the purchasers of lots at these sales, I regret to find, are disposed to avail themselves of any advantages which they may possess under the certificates they hold, in order to delay payments. I would respectfully solicit the attention of the Legislature to the condition of these lots, and suggest whether or no it would not be the better way to authorize the Agent to have suit commenced on the notes given in payment for the lots alluded to at as early a day as practicable, and, in case of a failure to pay, to have the lots for which said notes were given sold to satisfy the claims of the Territory against them.

In compliance with the requirements of the second resolution above alluded to, I herewith transmit to the House a copy of a bond executed by me to the Miners' Bank of Dubuque, on the 28th of June last, for the payment of the notes therein specified.

For the item designated, in my Annual Report of the 12th ult., a "further loan negotiated with said bank, on the 30th of September last," of five hundred dollars, I executed a similar bond to the one herewith transmitted, specifying that the notes were to be paid at maturity in the State Bank of Missouri, in the city of St. Louis.

Very respectfully,
Your obedient serv't,
JESSE WILLIAMS,
Territorial Agent.

(COPY.)

Know all men by these presents, That whereas, by an act of the Council and House of Representatives of the Territory of Iowa, approved January 15, 1841, the Territorial Agent is authorized to borrow a sum of money not exceeding twenty thousand nor less than five thousand dollars, to be expended upon the Capitol at Iowa City, provided the money could be obtained on the faith of the unsold lots of Iowa City.

Now know ye, that I, Jesse Williams, Territorial Agent of the Territory of Iowa, in conformity with the above mentioned act, have this day borrowed, from the President and Directors and Company of the Miners' Bank of Dubuque, the sum of five thousand dollars, for the space of eighteen months, and at the rate of seven per cent. per annum, for which loan I have this day executed to the said bank my notes as follow, to wit: One note for five thousand dollars, dated June 28, 1841, payable eighteen months after date, at the Bank of America, in the city of New York, and six several notes for eighty-seven dollars and fifty cents each, bearing date as above, and payable in three, six, twelve, fifteen and eighteen months after date, at the Bank of the State of Missouri, in the city of St. Louis—the six last mentioned notes being for the interest on the loan.

And further know ye, That I, Jesse Williams, in accordance with the before mentioned act, do hereby pledge to the said President and Directors and Company of the said Miners' Bank of Dubuque, or their successors in office, or assignees, the whole of the remaining unsold lots, and the good faith of the Territory of Iowa, in security for the payment of the above mentioned notes at their maturity, respectively.

In testimony whereof, I have hereunto set my hand and seal this twenty-eighth day of June, in the year. of Lord one thousand eight hundred and forty-one.

(Signed) JESSE WILLIAMS,
Territorial Agent.

Mr. Baker gave notice, that he would, on to-morrow, or some future day, introduce a bill to authorize the Seceder Church to solemnize marriage according to the rules and regulations of said Church, without obtaining a license for that purpose.

No. 2, C. F. "Memorial for an appropriation to complete the Penitentiary;" was read a second time.

On motion of Mr. Patterson,

Ordered, That said Memorial be read a third time on to-morrow.

No. 3, C. F. "Preamble and Resolution, requesting our Delegate in Congress, to use his influence to procure a donation of lands for School purposes, in the Half Breed Sac and Fox reservation;"

Was read a second time.

Ordered, That said preamble and resolution be read a third time on to-morrow.

No. 23, H. R. File, "A bill, for an act to provide for receiving the proportion of money to which Iowa will be entitled, under the distribution law," and for other purposes, was read a second time.

On motion of Mr. Robertson,

The House resolved itself into Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Patterson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment;

To which the House agreed.

On motion of Mr. Grant,

Ordered, That said bill be referred to the Committee on Public Instruction.

No. 25, H. R. File, "A bill to provide for levying a tax on real and personal property for road purposes;"

Was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Robertson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

A motion was made by Mr. Hepner, to strike out the word 'two' and insert the word 'one,' in the 2nd line of the 5th section.

And the question being put—was determined in the negative.

Yeas 7—Nays 16.

The yeas and nays being desired by two members—

Those who voted in the affirmative were, Messrs. Campbell, Denson, Hepner, Higginson, Holliday, Weld, and Whitaker.

Those who voted in the negative, were Messrs.Baker, Biggs, Blair, Booth, Felkner, Grant, Leffler, McCulloch, Moss, Patterson, Quinton, Robertson, Smead, Toole, Wilson. and Lewis, Speaker.

So the motion was lost.

A motion was made by Mr. Robertson, to amend said bill by striking out, in the 5th line of the 1st section, the word 'fifty,' and inserting the words 'twenty-five.'

And the question being put—was determined in the affirmative.

Yeas 13, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Blair, Campbell, Denson, Felkner, Higginson, Holliday, Leffler, Moss, Robertson, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Booth, Grant, Hepner, McCulloch, Morgan, Patterson, Quinton, Smead, Toole, and Weld.

So the motion was determined in the affirmative.

A motion was made by Mr. Moss, to strike out, in the 3rd line of the 1st section of said bill, the words 'and personal.'

Pending which,

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

No. 25, H. R. File, "A bill to provide for levying a tax on real and personal property, for road purposes,' being under consideration; and the question pending at the adjournment, being to strike out the words "and personal,' in the 3d line of the first section:

And being put—was determined in the negative.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 3, C. F. "A bill for an act to provide for the appointment of a Clerk of the Supreme Court, and to change the time of holding the annual session of the same;' and,

No. 36, C. F. "A Memorial for the establishment of a land office at Fairfield, in Jefferson county.

In which they ask the concurrence of the House of Representatives.

The Council have also passed

No. 14, H. R. File, "A bill to incorporate the Mechanics' Institute of Dubuque; and,

No. 19, H. R. "A bill to authorize Martin W. Smith to keep a ferry across the Mississippi river, in Scott county.

And then he withdrew.

The House resumed the consideration of No. 25, H. R. File.

A motion was made by Mr. Moss, to amend said bill by striking out the 5th section and inserting the following as a substitute:

That it shall be the duty of each supervisor to have the money expended upon the road or roads, in his district, raised for that purpose, as provided in the first section of this act; and if found to be insufficient to put the road or roads in good order, and keep them in such condition, it shall be the duty of such supervisor, to order out every person in his district, subject to labor on roads, as many days as, in his opinion, shall be necessary to put such road or roads in good repair. And if any person shall fail or refuse, without good cause, to obey the summons of said supervisor, and work, as aforesaid, he shall forfeit and pay the sum of one dollar and fifty cents, for each and every refusal or neglect; to be recovered by action before any Justice of the Peace, in the same manner as other debts are recoverable; and in case of any such refusal or neglect of any person to attend, as aforesaid, without good cause, to make complaint to any Justice of the Peace, in the name of such road district, and further attend to the collection of such forfeit, which said sum shall be expended on the roads in his district.

That such supervisor shall be accountable in damages, to all and every person who shall receive special damage by traveling on any of the said roads in his district, by his neglect: Provided, however, That no supervisor shall be accountable for any damage sustained by any temporary obstruction that may be thrown in the way, and of which said supervisor has not had at least three weeks' notice.

And the question being put, Will the House adopt the substitute?

Was determined in the negative.

On motion of Mr Patterson,

Ordered, That said bill be engrossed and read a third time on tomorrow.

On motion of Mr. Grant,

No. 3, C. F. "A bill for an act to provide for the appointment of a Clerk of the Supreme Court, and to change the time of holding the annual session of the same," was taken up and read a first time.

On motion of Mr. Grant,

Ordered, That the 44th rule be suspended, and the bill be read a second time now.

Said bill was then read a second time.

On motion of Mr. Grant,

The House resolved itself into a Committee of the whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

On motion of Mr. Leffler,

Ordered, That the 44th rule be again suspended, and the bill be read a third time now.

Said bill was then read a third time, and passed.

On motion of Mr. Grant,

The title was amended so as to read, "A bill for an act to provide for a Special Term of the Supreme Court, and to change the time of holding the annual session of the same."

Ordered, That the Clerk acquaint the Council therewith.

No. 26, H. R. File, "Memorial to Congress for a mail route from Dixon, Ill., to Iowa City," was read a second time.

On motion of Mr. Hepner,

Ordered, That said Memorial be referred to the Select Committee on mail routes.

No. 27, H. R. File, "A bill to amend an act to provide for the organization of townships,

On motion of Mr. Weld,

Was read a second time.

Ordered, That said bill be referred to the Select Committee appointed to revise the law relative to Townships.

On motion of Mr. Grant,

The House resumed the consideration of "No. 15, H. R. File, "A bill for an act, entitled, "An act regulating criminal proceedings," in Committee of the whole House.

After some considerable time spent therein, Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, and directed him to report with sundry amendments, and ask leave to sit again on tomorrow.

Leave was granted.

Mr. Toole gave notice, that he would, on some day hereafter, introduce 'A bill to legalize the location of certain Territorial roads.'

Mr. Whitaker, on leave, introduced No. 30, H. R. File, "A bill to repeal an act authorizing a loan of money to be expended upon the Capitol."

On motion of Mr. Hepner,

The House adjourned.

Thursday Morning, January 6, 1842.

Mr. Patterson presented the petitions of sundry citizens of Lee county, in relation to certain townships in said county.

Ordered, That said petitions be referred to the Select Committee appointed to revise the law relative to townships.

Mr. Patterson presented the petition of sundry citizens of Lee county, asking the Legislature to memorialize Congress for the establishment of a mail route from Burlington, in Des Moines county, to Farmington, in Van Buren county.

Ordered, That said petition be referred to the Select Committee on Mail Routes.

On motion of Mr. Patterson,

Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the acts establishing Courts of Probate as to require the Judges of each Court to deliver up to his successor in office, all books and papers belonging to said Court.

Mr. Felkner offered the following:

Resolved, That the Committee on Territorial Affairs be instructed to inquire into the expediency of passing a law authorizing the issuing of Territorial bonds on the faith of the proceeds which may accrue to the Territory under the provisions of the act of Congress distributing the proceeds arising from the sales of the public lands among the several States and Territories, for a loan of money not exceeding twenty thousand dollars, to be expended upon the Capitol; said bond to be made payable in not less than seven, nor more than ten years: And requiring, further, that the proceeds arising from the sales of lots in Iowa City be pledged to the Territory to indemnify the Treasury for such loan obtained upon the credit and faith of the Territory.

And the question being put, Will the House adopt the resolution?

It was determined in the negative.—Yeas 2, Nays 21.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Felkner, and Toole.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Grant, Hepner, Higginson, Holliday, Leffler, McCulloch, Moss, Patterson, Porter, Quinton, Robertson, Smead, Whitaker, Wilson, and Lewis, Speaker. So the resolution was lost.

On motion of Mr. Toole,

Resolved, That the Judiciary Committee be requested to so alter the law regulating the time of holding the District Courts in this Territory, that the time for holding said Courts in Louisa county will better suit the convenience of the citizens of said county.

On motion of Mr. Whitaker,

Resolved, That the Superintendent of Public Instruction report to this House the condition of Primary School funds, also, of Primary Schools, and all such matters relating to his office and the Public Schools as he may think proper to communicate. And that the Chief Clerk be requested to furnish him with a copy of this resolution.

Mr. Quinton gave notice, that he would, on some day hereafter, introduce a bill to make the Clerk of the board of County Commissioners elective by the people; also,

A bill to make the official certificate of any Register and Receiver, evidence of title to any lands sold in the United States.

Mr. Baker gave notice, that he would, on some future day, introduce a bill to authorize Michael Hays and Joseph B. Rogers to erect a dam across the west fork of Crooked Creek, in Washington county:

Also—A bill to incorporate a College at the town of Washington, in Washington county.

Mr. Toole offered the following:

Resolved, That the printing of the daily slips for this House be dispensed with during the balance of this session.

And the question being put, Will the House adopt the resolution?

Was determined in the negative—Yeas 10, Nays 13.

The yeas and nays being desired by two members,

Those who voted in the affirmative were—Messrs. Baker, Felkner, Grant, Higginson, Holliday, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Hepner, Leffler, McCulloch, Moss, Patterson, Quinton, Whitaker, and Lewis, Speaker.

So the resolution was lost.

Mr. Toole gave notice, that he would, on some day hereafter, introduce "a bill to authorize persons to remove fences or enclosures made by mistake, on the lands of other persons.

Mr. Baker, from the Committee appointed for that purpose, reported, No. 32, H. R. File, "A bill to authorize Rachael Holcomb, administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate," which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Felkner, from the Committee on Corporations, reported,

No. 33, H. R. File, "A bill to incorporate Religious Societies;"

Which was read a first time.

Mr. Quinton, from the Select Committee, to which the subject was referred, reported No. 34, H. R. File, "A bill to divorce Naomi Williams from her husband Edward Y. Williams;"

Which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Baker, in accordance with previous notice, introduced No. 35, H. R. File, "A bill to authorize the Seceder Church to solemnize marriage according to the rules and regulations of said Church;"

Which was read a first time.

No. 31, H. R. File, "An act to repeal the act authorizing a loan of money to be expended upon the Capitol;"

Was read a first time.

Ordered, That the printing of said bill be dispensed with.

No. 29, H. R. File, "A bill to locate and establish a Territorial road from the county seat of Delaware county, to the town of West Cascade, in Dubuque county;" was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 30, H. R. File, "A bill, to locate a Territorial road from Marion, in Linn county, to the mouth of the Tetes de Morts creek, in Jackson county;" was read a second time.

On motion of Mr. Denson,

Ordered, That said bill be referred to a Select Committee. Whereupon,

The Speaker appointed Messrs. Denson, Booth, and Quinton, said Committee.

On motion of Mr. Leffler,

Ordered, That Mr. Moss be added to said Committee.

The House resumed in Committee of the whole House, "No. 15, H. R. File, "A bill for an act, entitled, "An act regulating criminal proceedings."

After some considerable time spent therein, Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, had made some progress, and instructed him to report the same and ask leave to sit again on Monday next.

Leave was granted.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 11, H. R. File, "An act to locate a Territorial road from Deeds' Mills, on Skunk river, to the boundary line.

I herewith present for your signature,

An act to authorize John R. Sparks and his associates to build a Dam across the Des Moines river."

And then he withdrew.

The Speaker then signed the above entitled act.

On motion of Mr. Quinton,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

No. 3, C. F. "A bill for an act supplementary to an act, providing for the appointment of a Territorial Agent, and for other purposes;"

Was read a second time.

On motion of Mr. Felkner,

The House resolved itself into Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Whitaker reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment;

To which the House agreed.

On motion of Mr. Biggs,

Ordered, That said bill be referred to the Committee on Public Buildings.

No. 23, C. F., "A bill to establish and locate a Territorial Road from Marion, in Linn county, to Bellview, via Edinburgh:"

Was read a third time, and passed.

On motion of Mr. Moss,

The title of said bill was amended so as to read "A bill to establish and locate a Territorial Road from Marion, in Linn county, to intersect the Territorial Road from Bellview to Iowa City."

Ordered, That the Clerk acquaint the Council therewith.

Bills of the following titles, to wit:

No. 20, H. R. File, A bill for an act supplementary to an act entitled "An act to authorize evidence by the oath of parties."

No. 21, H. R. File, A bill to amend an act entitled "An act to provide for the support of Illegitimate Children."

No. 22, H. R. File, "A bill for an act defining a lawful fence, and providing against trespassing animals.

Were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

No. 25, H. R. File, "A bill for an act to provide for levying a tax on real and personal property, for road purposes;" was read a third time.

On motion of Mr. Hebard,

And by the unanimous consent of the House, the word "also" was stricken out of the 5th section of said bill.

The bill was then passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 2, C. F. "Memorial for an appropriation to complete the Penitentiary;" and,

No. 3, C. F. "Preamble and Resolution, requesting our Delegate in Congress to use his influence to procure a donation of lands for School purposes, in the Half Breed Sac and Fox reservation."

Were severally read a third time, and passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 14, H. R. File, "A bill to incorporate the Mechanics' Institute of Dubuque," being returned from the Council with an amendment, was taken up, and the same read and concurred in.

No. 11, C. F. "A Memorial to Congress praying for an appropriation to defray the expenses growing out of a dispute between the Territory of Iowa and the State of Missouri, in relation to the southern boundary line, being returned from the Council with the first amendment of the House disagreed to,

Was taken up, and,

On motion of Mr. Patterson,

The House receded from said amendment.

Bills, &c., from the Council, of the following titles, to wit:

No. 31—Preamble and Joint Resolution, requesting our Delegate to use his influence in procuring a change in the existing system of licensing traders to deal with the Indians, &c.

No. 32—Memorial to Congress for an appropriation to complete the National road from Dubuque to the southern boundary of the Territory, via Iowa City, &c.

No. 34—A bill to amend an act to district the Territory of Iowa into Electoral Districts, &c., approved, July 30th, 1840.

Were severally read a first time.

On motion of Mr. Grant,

The petition of sundry citizens of Scott county, praying the Legislature to pass a law giving John Wilson the privilege of removing his steam ferry boat from the landing at Davenport, was taken from the table, and referred to the Committee on Corporations.

Mr. Moss offered the following:

Resolved, That the further attendance of the Assistant Messenger and Assistant Door Keeper upon this House be dispensed with, and that they be paid for their services up to this day at the rate of two dollars and fifty cents per day.

On motion of Mr Weld,

Ordered, That said resolution be laid upon the table until to-morrow morning.

On motion of Mr. Hepner,

Ordered, That the communications from Chauncey Swan and J. Williams, giving information in compliance with the resolution passed a few days since, be taken from the table and referred to the Committee on public buildings.

The House resumed, in Committee of the whole House, the consideration of No. 3, H. R. File, "A bill to authorise Perriander Pollock and others, to erect a dam across the Wapesipenicon river. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said bill under consideration, and directed him to report the same without amendment.

To which the House agreed.

On motion of Mr. Denson,

The bill was amended by the addition of an entire section.

On motion of Mr. Robertson,

Ordered, That said bill be engrossed and read a third time on to-morrow.

On motion of Mr. Leffler,

The House adjourned.

Friday Morning, January 7, 1842.

Mr. Booth presented the memorial of Francis Gehon, asking compensation for extra expense and trouble in taking the census of 1840, in compliance with a resolution passed during the session of 1839, and 1840.

Ordered, That said memorial be referred to the Committee on Claims.

Mr. Robertson presented the remonstrance of sundry citizens of Scott county, remonstrating against any action of the Legislature in relation to the steam ferry boat belonging to John Wilson, and now lying at the landing in the town of Davenport, in said county.

Ordered, That said remonstrance be referred to the Committee on Corporations.

Mr. Moss presented the petition of sundry citizens of Iowa City asking the appropriation of a lot, in said place, for the use and benefit of the Baptist Church.

Ordered, That said petition be referred to the Committee on Corporations.

Mr. Booth gave notice, that he would, on some day hereafter, introduce a bill for an act to amend an act entitled "An act to provide for the organization of Townships."

Mr. Baker gave notice, that he would, on some future day, introduce a bill to amend an act entitled "An act, to provide for the appointment of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings.

Mr. Grant, in accordance with previous notice, introduced

No. 36, H. R. File, "A bill to legalize certain acts of the board of Commissioners of Clinton county;

Which was read a first time, and the printing of the same dispensed with.

Mr. Leffler presented a communication from the Superintendent of Public Instruction; which,

On motion,

Was referred to the Committee on Public Instruction.

Mr. Smead, in accordance with previous notice, introduced,

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute;" which was read a first time.

Ordered, That the printing of the same be dispensed with.

Mr. Hebard, from the Committee on Engrossed Bills, reported Nos. 3 and 29 as correctly engrossed.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to locate a Territorial road from Keokuk, in Lee county, to Fairfield, in Jefferson county;

An act to authorize Martin W. Smith to keep a ferry across the Mississippi river, in Scott county;

An act to locate a Territorial Road from Deeds' Mill, on Skunk river, to the boundary line; and,

An act to incorporate the Mechanic's Institute of Dubuque.

The Speaker then signed said acts.

Mr. Baker, in accordance with previous notice, introduced.

No. 38, H. R. File, "A bill to authorize Michael Hays and Joseph B. Rodgers to erect a dam across the west fork of Crooked Creek, in Washington county;" which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Wilson, from the Committee on Mail Routes, reported,

No. 39, H R. File, "A Memorial to Congress for the location of mail routes in Iowa;" which was read a first time.

The following resolution, offered on yesterday by Mr. Moss, to wit:

Resolved, That the further attendance of the Assistant Messenger Assistant Door Keeper, upon this House, be dispensed with, and that they be paid for their services up to this day at the rate of two dollars and fifty cents per day, being the order of the day, was taken up.

And the question being, Will the House adopt the resolution?

Pending which,

A call of the House was desired by five members.

And the roll being called, those who failed to answer to their names were Messrs. Campbell and Hebard.

On motion of Mr. Biggs,

Leave of absence was granted to Mr. Campbell.

The Sergeant-at-Arms was then directed to require the attendance of the absentee.

After a short time a further call was,

On motion of Mr. Patterson,

Suspended.

The question was then put, and was determined in the negative.

Yeas 11, Nays 13.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Blair, Booth, Felkner, Grant, Holliday, Leffler, Moss, Porter, Robertson, Smead, and Wilson.

Those who voted in the negative were, Messrs. Baker, Biggs, Denson, Hepner, Higginson, McCulloch, Morgan, Patterson, Quinton, Toole, Weld, Whitaker, and Lewis, Speaker.

So the resolution was lost.

No. 31, H. R. File, "A bill to repeal an act authorizing a loan of of money to be expended upon the Capitol;" was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be engrossed and read a third time on Monday next.

No. 32, H. R. File, "A bill to authorize Rachael Holcomb, administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate;" was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 33, H. R. File, "A bill for the incorporation of Religious Societies;" was read a second time.

On motion of Mr. Quinton,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Baker reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

To which the House agreed.

Several amendments being proposed and made to said bill, it was,

On motion of Mr. Hepner,

Ordered to be engrossed and read a third time on to-morrow.

No. 34, H. R. File, "A bill to divorce Naomi Williams from her husband Edward Y. Williams;" was read a second time.

A motion was made by Mr. Quinton that said bill be engrossed and read a third time on to-morrow.

And the question being put, was decided in the affirmative.

Yeas, 17, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Denson, Felkner, Grant, Hepner, Higginson, Leffler, McCulloch, Patterson, Porter, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Hebard, Holliday, Morgan, Moss, and Weld.

So the bill was ordered to be engrossed and read a third time on to-morrow.

On motion of Mr. Patterson,

The House adjourned until 2 o'clock P. M.

---

2 O'CLOCK, P. M.

A message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have passed

No. 42, C. F. "A bill to locate and establish a Territorial Road from Thomas Lingles' Mill, in Johnson county, to Marion, via West Point, in Linn county, in which they ask the concurrence of the House of Representatives.

The Council have concurred in the amendments made by the House of Representatives, to

No. 2, C. F. "A Memorial for an appropriation to complete the Penitentiary; and,

No. 23, C. F. "A bill to establish and locate a Territorial road from Marion, in Linn county, to intersect the Territorial road from Bellview to Iowa City.

And then he withdrew.

No. 35, H. R. File, "A bill to authorize the Seceder Church to solemnize marriage, according to the rules and regulations of said Church,"

Was read a second time.

On motion of Mr. Weld,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Biggs reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

A motion was made by Mr. Hepner, to refer said bill to the Committee on the Judiciary, with instructions to report a bill repealing a proviso of the 6th section of an act regulating marriages.

The motion was lost.

A motion was made by Mr. Whitaker, that said bill be indefinitely postponed.

And the question being put—was determined in the affirmative.

Mr. Hepner gave notice, that he would, on some day hereafter, introduce a bill to repeal a *proviso* of the 6th section of an act entitled "An act, regulating marriages.

No. 31, C. F., "Preamble and Joint Resolution, requesting our Delegate to use his influence in procuring a change in the existing system of licensing traders to deal with the Indians, &c.

Was read a second time.

On motion of Mr. Patterson,

Ordered, That said Preamble and Resolution be read a third time on to-morrow.

No. 32, C. F., "Memorial to Congress for an appropriation to complete the National Road from Dubuque to the Southern boundary line, via Iowa City, &c., was read a second time.

On motion of Mr. Grant,

Ordered, That said memorial be referred to the Committee on Memorials.

No. 34, C. F. "A bill to amend an act to district the Territory of Iowa into electoral districts;" was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be referred to a Select Committee.

Whereupon, The Speaker appointed Messrs. Robertson, McCulloch and Whitaker, said Committee.

No. 3. H. R. File, "A bill to authorize Perriander Pollock and others to erect a dam across the Wapesipenicon river."

Was read a third time.

The question beingthen put, Shall the bill pass? It was determined in the affirmative—Yeas 17, nays 4.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Denson, Grant, Higginson, Holliday, Leffler, McCulloch, Patterson, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Felkner, Hebard, Hepner, and Weld.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 29, H. R. File, "A bill, to locate a Territorial Road from the county seat of Delaware county, to the town of West Cascade, in Dubuque county;" was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 36, C. F. "Memorial for the establishment of a Land Office in Jefferson county;" and,

No 42, C. F. "A bill to locate and establish a Territorial road from Thomas Lingles' mill in Johnson county, to Marion, via West Port, in Linn county;" were severally read a first time.

On motion of Mr. Patterson,

The House resumed, in Committee of the whole House, the consideration of No. 5, H. R. File, "A bill to authorize Jason Wilson to erect a dam across Skunk river, in Lee county. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

A motion was made by Mr. Hepner, to amend said bill, by inserting the words "or repeal," after the word "amend," in the 5th section.

And the question being put—was determined in the affirmative.

A motion was made by Mr. Moss, to strike out the word "reasonable" in the second section.

The motion was lost.

A motion was made by Mr. Hepner, that said bill be referred to the Committee on Territorial Affairs.

And the question being put—as determined in the negative.

On motion of Mr. Patterson,

Ordered, That said bill be engrossed, and read a third time on Monday next.

Mr. Hebard gave notice, that he would, on some subsequent day, introduce a bill to authorize Joseph Stephens to construct a dam across Skunk river, in Henry county.

Mr. Moss gave notice, that on Monday next, he would introduce a bill to carry into effect the law defining crimes and punishments.

On motion of Mr. Whitaker,

The House adjourned until Monday morning next.

Monday Morning, January 10, 1842.

Mr. Campbell presented the petition of sundry citizens of Lee county, asking the Legislature to grant a charter to Robert M. G. Patterson, to keep a Ferry across the Mississippi river, at Keokuck in said county.

Ordered, That said petition be referred to a Select Committee,

Whereupon, The Speaker appointed Messrs. Patterson, Campbell and Wilson said Committee.

Mr. Toole presented the petition of sundry citizens of Louisa county, praying the Legislature to grant a charter to James McDaniel and Henry Wamstaff, to keep a Ferry acros the Iowa river, at Wapello, in said county.

Ordered, That said petition be referred to the committee on Corporations.

Mr. Robertson presented the petition of sundry citizens of Clinton county asking the Legislature to alter the present law. districting the Territory into electoral districts, so as to give said county the privilege of electing one member to the House of Representatives.

Ordered, That said petition be referred to the Select Committee, to which had been referred a bill to amend an act districting the Territory of Iowa into electoral districts,

Mr. Robertson presented the petition of Laurel Summers, in relation to a certain claim which he holds against the Territory.

Ordered, That said petition be referred to the Committee on Claims.

Mr. Porter offered the following:

Resolved, That the printing of the daily slips for the use of this House be dispensed with, for the remainder of this session, from the 11th January.

On motion of Mr. Hepner,

Ordered, That said resolution be laid upon the table.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have amended the 1st amendment of the House of Representatives, to No. 3, C. F. and have concurred in the other amendments made by the House of Representatives, in which they ask the concurrence of the House of Representatives.

And then he withdrew.

A motion was made by Mr. Grant that the House do now concur in the amendment of the Council to the amendment of the House of Representatives, in the Bill just transmitted to this House. To which the House agreed.

On motion of Mr. Grant,

The following resolution to-wit:

Resolved, That the printing of the daily slips, for the use of this House, be dispensed with for the remainder of this session from the 11th of January; Was taken from the table.

And the question being put, will the House adopt the resolution? Was decided in the affirmative. Yeas 13, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Blair, Felkner, Grant, Hebard, Holliday, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative, were Messrs. Biggs, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the resolution was adopted.

Mr. Moss, in accordance with previous notice introduced, No. 40, H. R. File, An act making provisions for carrying into effect the act defining crimes and punishments; which was read a first time.

Mr. Biggs, from the Committee on Claims, submitted a report in relation to the claims of Russell & Hughes, and W. W. Corriell, which was read, and

On motion of Mr. Grant,

Laid upon the table, And one hundred copies ordered to be printed.

Said report reads as follows:

The Committee on Claims, to whom was referred Council file No. 19, "A resolution authorizing payment to Messrs. Russell & Hughes, and Wm. W. Corriel, for printing the Journals of the Council and House of Representatives;" beg leave to report that they have had said resolution under their deliberate consideration.

Your Committee, in referring to the Journals of the House of Representatives of the last session of the Legislature, find that the following resolution passed that body, viz:

"Resolved, That William W. Corriell, publisher of the Iowa News at Dubuque, be and is hereby authorized to print the usual number of copies of the Journals of this House in pamphlet form, and have the same ready for distribution within four months from the close of the present session, and that he be allowed the *usual compensation for such work.*"

And by a similar resolution of the Council, Messrs. Russell & Hughes were authorized to print the Journals of the Council.

Your Committee believe said printing was done in the time and manner required by said resolutions, and that said printers are entitled to the USUAL compensation for such work.

In order to ascertain the correctness of the charges made by said printers, as contained in said resolution, and ascertain its agreement with the USUAL prices paid for similar work, your Committee instituted comparison, as follows:

The specifications in the charge of W. W. Corriell are as follows:

Composition of 336 pages, each page containing 1421 ems, at $2 50 per 1000 ems,	$1193	63
Press work and paper for 300 copies at 87½ cents,	262	50
Binding (as per voucher)	56	25
	$1512	38

Specification of items in the account of Messrs. Russell & Hughes:

Composition of 268 pages, each page containing 1450 ems, at $2 50 per 1000 ems,	$671	50
Press work and paper for 150 copies at 87½ cents,	131	25
Binding (as per binder's bill rendered)	20	00
	$1122	75

The prices paid in Missouri for similar work:

For printing the Journal of the Council,	$268	00
Binding as above,	20	00
	$288	00
Journal of the House,	$336	00
Binder's bill,	56	25
	$392	25

Illinois prices:

Journal of the Council—for composition and press work,	$332	45
Binding as above,	20	00
	$352	45
Journal of the House,	$337	14
Binding,	56	25
	$383	39

Indiana prices:

Journal of the Council—composition of 388,600 ems, at 45 cents per 1000 ems,	$174	87
Press work, 68 tokens at 45 cents,	30	60
Binding as above,	20	00
	224	87
Journal of the House—for composition of 367,156 ems, at 45 cents per 1000,	$165	22

Press work, 82 tokens, at 45 cents,	36 90
Binding,	56 25
	$258 37

Prices paid by Cougress:

Journal of the Council—268 pages composition,	$268 00
Press work,	50 00
Binding as above,	20 00
	$338 00
Journal of the House at the above rates, including binder's bill,	$494 25

Your Committee have extended the comparison to prices paid in other States, and find the results as those given above. In the State of North Carolina the amount paid for printing the Journals of both Houses of the Legislature in 1840, was $789 98, and the whole amount paid for public printing in that State, for the years 1840–41, was $3,670 50, including Executive Proclamations and all other incidental printing of the State.

In adopting a standard to govern the prices for said printing, the Committee have taken that fixed by Congress, as that has heretofore been the nominal standard in this Territory, though it is believed the prices heretofore actually paid, correspond with those charged for printing the Journals of last year.

Your Committee would therefore recommend the following amendments to the resolution under consideration: Strike out of the fourth and fifth lines the words "eleven hundred and twenty-two dollars and seventy-five cents," and insert "*three hundred and thirty-eight dollars*;" also, strike out from the seventh and eight lines the words "fifteen hundred and twelve dollars and thirty-eight cents," and insert, "*four hundred and ninety-four dollars and twenty-five*;" and further to amend said resolution by striking out all after the thirteenth line and insert "have been or may be hereafter appropriated to defray the expenses of the Legislative Assembly, to the said Russell and Hughes, and William W. Coriell, the sums allowed them respectively, out of any money which is or may be hereafter appropriated by Congress to defray the expenses of the Legislative Assembly.

Mr. Hepner, on leave given, introduced

No. 41, H. R. File, "A Joint Resolution, providing for the printing of the laws;" which was read a first time.

Mr. Hebard, from the Committee on Engrossed Bills, reported Nos. 5, 31, and 34, as correctly engrossed.

Mr. Robertson, from the Committee on Townships and County Boundaries, made the following report:

The Committee on Townships and County Boundaries, to which was referred the petitions of sundry citizens of Dubuque, Jackson, Delaware, and Jones counties, praying that an act be passed by the present Legislature, creating a new county, to be called "Warren," out of certain portions of the above named counties, beg leave to report, That they have had the same under consideration, and after a careful examination of the subject have come to the conclusion that it would be impolitic to grant the prayer of the petitioners.

Your Committee would therefore ask to be discharged from the further consideration on the subject.

The report was concurred in.

Mr. Grant, from the Committee on the Judiciary, to which was referred,

No. 32, H. R. File, "A bill to authorize Rachael Holcomb, admintisratrix of the estate of Milo Holcomb, deceased, to sell certain real estate;" reported the same back to the House with an amendment.

The report was concurred in.

Mr. Grant, from the Committee on the Judiciary, reported,

No. 42, H. R. File, "A bill for an act to amend an act, creating the office of Judge of Probate;" which was read a first time.

Mr. Robertson, from the Select Committee to which was referred a bill to amend an act to district the Territory of Iowa into Electoral Districts, reported No. 43, H. R. File, as a substitute;

Which was read a first time, and the printing of the same ordered to be dispensed with.

Mr. Hepner, from the Joint Committee on Enrolled Bills, reported that they had presented, on the 7th instant, to his Excellency, the Governor, for his approval,

An act amendatory to an act to authorize John R. Sparks and his associates to erect a dam across the Des Moines river.

Mr. Hepner, in accordance with previous notice, introduced

No. 44, H. R. File, "A bill to repeal the *proviso* to the sixth section of an act entitled 'An act regulating marriages.'"

Which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Biggs, on leave, presented the account of John H. McKenny, for certain printing done; which was,

On motion of Mr. Weld,

Referred to the Committee on Claims.

The Speaker laid before the House the report of the Territorial Treasurer; which was read at the Clerk's table.

On motion of Mr. Moss,

Ordered, That said report be referred to the Committee appointed to revise the Revenue Law.

On motion of Mr. Patterson,

Ordered, That 50 copies of said report be printed for the use of this House.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—I herewith present for your signature,

An act to provide for a special term of the Supreme Court, and to change the time of holding the annual session of the same.

And then he withdrew.

The Speaker then signed said act.

The House resumed in Committee of the whole House, the consideration of "No. 15, H. R. File, "A bill for an act, to amend an act, entitled, "An act regulating Criminal Proceedings."

After some considerable time spent therein, Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same and ask leave to sit again this afternoon.

Leave was granted.

On motion,

The House adjourned until 2 o'clock P. M.

---

2 O'CLOCK, P. M.

The House resumed, in Committee of the whole House, the consideration of No. 15, H. R. File, "A bill for an act to amend an act entitled, an act regulating Criminal Proceedings. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said bill under consideration, and directed him to report the same with sundry amendments.

Several of the amendments being concurred in, the further consideration of the remainder was postponed until Thursday next.

A Message from the Council, by Mr. Woods, their Secretary—

MR. SPEAKER—The Council have passed

No. 45, C. F. "A bill to incorporate the 1st Episcopal Church of Marion."

In which they ask the concurrence of the House.

I also present for your signature—

An act to establish and locate a Territorial Road from Marion, in Linn county, to intersect the Territorial Road leading from Bellview to Iowa City.

Preamble and Resolution, requesting our Delegate in Congress to use his influence to procure a donation of lands for school purposes in the Half-Breed Sac and Fox Reservation;

Memorial for an appropriation to complete the Penitentiary.

A Memorial to Congress, praying for an appropriation to defray the expenses growing out of the dispute between the United States, within the Territory of Iowa, and the State of Missouri, in relation to the southern boundary line.

And then he withdrew.

The Speaker then signed the above entitled act, memorials, &c.

No. 17, H. R. File, "Joint Resolution, requesting our Delegate in Congress to procure an appropriation to improve the navigation of the Wapesipenicon and Maquoqueta rivers;" was read a second time.

On motion of Mr. Hebard,

Ordered, That said resolution be referred to the Committee on Memorials.

No. 24, H. R. File, "A bill to divorce Sarah East from her husband Hardman E. W. East;" was read a second time.

A motion was made by Mr. Robertson, that said bill be engrossed and read a third time on to-morrow.

The motion was lost.

On motion of Mr. Hepner,

Ordered, That said bill be engrossed and read a third time on Monday next.

No. 36, H. R. File, "A bill for an act to legalize certain acts of the board of County Commissioners of Clinton county;"

Was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute;" was read a second time.

On motion of Mr. Moss,

The House resolved itself into Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Booth reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment;

To which the House agreed.

Several amendments being made to said bill, it was,

On motion of Mr. Porter,

Referred to a Select Committee.

The Speaker appointed Messrs. Porter, Hebard and Weld, said Committee.

No. 38, H. R. File, "A bill to authorize Michael Hays and Joseph B. Rodgers to erect a dam across the west fork of Crooked Creek, in Washington county;" was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill be referred to the Committee on Incorporations.

No. 39, H R. File, "A Memorial to Congress for the location of mail routes in Iowa;" was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the whole House for the consideration of said memorial. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said memorial under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

A motion was made by Mr. Biggs, that the 44th rule be suspended, and the memorial be read a third time now.

To which the House agreed.

The memorial was then read a third time, passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Moss,

The House adjourned.

Tuesday Morning, January 11, 1842.

Mr. Felkner presented the petition of James F. Hanby in relation to a balance due him for work done on the public buildings.

Mr. Felkner also presented a communication from the Territoral Agent in relation to said petition.

Ordered, That said petition, together with the communication, be referred to the Committee on Public Buildings.

Mr. Higginson presented the petition of sundry citizens of the Territory, asking the establishment of a Territorial Road from Bloomington to Dubuque.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Moss presented the petition of sundry citizens of Jackson county, praying the Legislature to grant a charter to Thomas S. Parkes to keep a Ferry across the Mississippi river, in said county.

Ordered, That said petition be referred to the Committee on Corporations.

Mr. Higginson presented the petition of sundry citizens of the counties of Cedar and Jones, in relation to the Territorial Road leading from West Liberty, in Muscatine county, to Edinburgh, in Jones county.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Quinton presented the petition of sundry citizens of the counties of Henry and Jefferson, asking the Legislature to memorialize Congress for an appropriation to build a bridge across Skunk river, where the road from Burlington to the Indian Agency crosses said river.

Ordered, That said petition be referred to the Committee on Memorials.

Mr. Whitaker, from the Committee appointed to examine the recording of the Journals, reported the same to be correct up to January the 7th inst.

Mr. Hepner, from the Committee on Enrolled Bills, reported, that they had presented to the Governor for his approval, on the 10th inst.

An act to incorporate the Mechanics' Institute of Dubuque;

An act to authorize Martin W. Smith to keep a ferry across the Mississippi river, in Scott county;

An act to locate a Territorial Road from Deeds' Mill, on Skunk river, to the boundary line;

An act to locate a Territorial Road from Keokuk, in Lee county, to Fairfield, in Jefferson county; and,

An act to provide for a Special Term of the Supreme Court, and to change the time of holding the annual session of the same;

The last mentioned act was approved and signed by his Excellency between the hours of 12 o'clock, M., and one o'clock, P. M. of said day.

Mr. Baker, in accordance with previous notice, introduced

No. 45, H. R. File, "A bill to amend an act entitled 'An act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings;'"

Which was read a first time.

No. 28, H. R. File, "A bill for an act to amend an act, organizing a board of County Commissioners in each county;"

Was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Grant reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

The House concurred in the report.

A motion was made by Mr. Weld, to strike out the words "two dollars," and insert the words "one dollar and seventy five cents," being the amount per diem allowed the Clerk of the board of Commissioners in said bill.

And the question being put—was determined in the negative.

Yeas 6, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Campbell, Leffler, Quinton, Robertson, Toole, and Weld.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Patterson, Smead, Wilson, and Lewis, Speaker.

So the motion was lost.

On motion of Mr. Biggs,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 32, H. R. File, "A bill to authorize Rachael Holcomb, Administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate;" was read a second time.

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 41, H. R. File, "A Joint Resolution providing for the printing of the Laws;" was read a second time.

On motion of Mr. Biggs,

Ordered, That the resolution be referred to a Select Committee.

Whereupon, Messrs. Biggs, Patterson, and Porter were appointed said Committee.

Mr. Morgan, from the Committee on Engrossed Bills, reported Nos. 24 and 33 36 as correctly engrossed.

No. 42, H. R. File, A bill for an act to amend an act creating the office of Judge of Probate; was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Hebard reported that the Committee had, according to order, had said bill under consideration, and directed him to report the same back to the House with amendments.

The report was concurred in.

On motion of Mr. Patterson,

Ordered, That said bill be engrossed and read a third time on tomorrow.

On motion of Mr. Biggs,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

No. 31. C. F., Preamble and Resolution requesting our Delegate to use his influence in procuring a change in the existing system of licensing traders to deal with the Indians, &c.

Was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 5, H. R. File, "A bill to authorize Jason Wilson to erect a Dam across Skunk river, in Lee county;" was read a third time.

The question being put, Shall the bill pass?

Was determined in the affirmative—Yeas 15, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Campbell, Grant, Higginson, Holliday, Leffler, McCulloch, Patterson, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Blair, Denson, Felkner, Hebard, Hepner, Morgan, Moss, and Weld.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

A Message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 1, C. F. "A bill, entitled An act amendatory to an act authorizing Henry Eno and others, to build a Dam across the Des Moines river.'"

No. 48, C. F. "A bill for an act to authorize William Pickerel, his heirs or assigns, to construct, keep, and maintain a dam across Skunk river."

In which they ask the concurrence of the House of Representatives."

And then he withdrew.

No. 31, H. R. File, "An act to repeal an act authorizing a loan of money to be expended upon the Capitol.

No. 33, H. R. File, "A bill for the incorporation of Religious Societies;" were severally read a third time, passed, and titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 34, H. R. File, "A bill to divorce Naomi Williams, from her husband, Edward Y. Williams;" was read a third time.

And the question being put, Shall the bill pass?

It was determined in the affirmative. Yeas 14, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Denson, Felkner, Grant, Hepner, Higginson, Leffler, McCulloch, Patterson, Quinton, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were—Messrs. Baker, Biggs, Blair, Campbell, Hebard, Holliday, Morgan, Moss, Weld, and Wilson.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 36, H. R. File, "A bill for an act to legalize certain acts of the board of Commissioners of Clinton county;"

Was read a third time, passed, and title agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

No. 45, C. F. "A bill to incorporate the Methodist Episcopal Church of Marion;" was read a first time.

No. 43, H. R. File, "A bill to amend an act districting the Territory into electoral districts;" was read a second time.

On motion of Mr. Biggs,

The House resolved itself into Committee of the whole House for the consideration of said bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment;

To which the House agreed.

A motion was made by Mr. Hepner, to strike out in the first section of said bill, the *proviso* wherein it is required that the member elect of the Council shall be a resident of Scott county.

And the question being put, was determined in the affirmative.

Yeas 15, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Campbell, Denson, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Smead, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Felkner, Grant, Higginson, Moss, Patterson, Quinton, Robertson, Toole, and Weld.

So the motion was agreed to.

A motion was then made by Mr. Robertson to strike out the enacting clause of said bill.

And the question being put, was determined in the negative.

Yeas 4, Nays 20.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Higginson, Robertson, Toole and Weld.

Those who voted in the negative, were, Messrs. Baker, Biggs, Blair, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Quinton, Smead, Whitaker, Wilson, and Lewis, Speaker.

So the motion was lost.

A motion was made by Mr. Patterson, that said bill be referred to the Committee on Townships and County Boundaries.

The motion was lost.

On motion of Mr. Grant,

Ordered, That said bill do lie upon the table.

No. 44, H. R. File, "A bill to repeal the proviso to the 6th section of an act, entitled An act regulating marriages.

Was read a second time.

On motion of Mr. Wilson,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Leffler reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

A motion was made by Mr. Wilson, to refer the said bill to a Select Committee.

The motion was lost.

A motion was made by Mr. Moss, that said bill be engrossed and read a third time to-morrow.

And the question being put—it was determined in the affirmative.

Yeas 13, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Patterson, Robertson, Smead, Toole, and Wilson.

So the motion was agreed to.

No. 36, C. F., "Memorial to Congress for the establishment of a Land office a Fairfield in Jefferson county;" was read a second time.

On motion of Mr. Biggs,

Ordered, That said memorial be referred to the Committee on Memorials.

No. 42, C. F. "A bill to locate and establish a Territorial Road rom Thomas Lingle's mill, in Johnson county, to Marion, via West Port, in Linn county;" was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be read a third time on to-morrow.

No. 19, C. F. "A Joint Resolution, authorizing payment to be made to Messrs. Russell & Hughes, and W. W. Coriell, for printing the Journals of the Council and House of Representatives;"

Was read a second time, together with the amendments made by the Committee on Claims.

On motion of Mr. Weld,

The House adjourned.

Wednesday Morning, January 12, 1842.

Mr. Baker presented the petition of sundry citizens of the counties of Washington and Johnson, asking "the location of a Territorial Road from Washington via Richmond on English River, in Washington county to Iowa City."

On motion of Mr. Felkner,

Ordered, That said petition be referred to the Delegations from Johnson and Washington Counties.

Mr. Grant presented the petition of sundry citizens of Scott county, praying the Legislature to pass a Law requiring the citizens of this Territory to confine their Stock, in order that the prairies may be cultivated without fencing.

Ordered, That said petition be referred to the Committee on Agriculture.

Mr. Hepner, from the Joint Committee on Enrolled Bills, reported that they had presented to the Governor for his approval on the 11th inst.

An act to establish and locate a Territorial Road from Marion in Linn county to intersect the Territorial Road from Bellview to Iowa City.

"Preamble and Joint Resolution, requesting our Delegate in Congress to use his influence to procure a donation of lands for school purposes in the Half Breed Sac and Fox Reservation."

"Memorial for an appropriation to complete the Penitentiary," and

A Memorial to Congress praying for an appropriation to defray the expenses growing out of the dispute between the United States within the Territory of Iowa and the State of Missouri, in relation to the Southern boundary line.

Mr. Biggs on leave offered the following:

Resolved, That in consequence of the resolution of this House dispensing with the printing of the daily Journals, it will be expedient to employ a competent reporter to attend the daily sittings of this House and report its proceedings to the Editors of the Iowa Capitol Reporter and Iowa City Standard, in order that the people may be early informed of the business acted on by this House.

Ordered, That said Resolution do lie upon the table for the consideration of the House on to-morrow.

Mr. Felkner from the Committee on Incorporations reported No. 46, H. R. File, "A Bill to authorize Thomas S. Parkes to keep a Ferry across the Mississippi River," which was read a first time and the printing dispensed with.

No. 19, C. F., "A Joint Resolution authorizing payment to be made to Messrs. Russell & Hughes, and W. W. Corriel for printing the Journals of the Council and House of Representatives," was read a second time.

On motion of Mr. Hepner,

The House resolved itself into a Committee of the whole House for the consideration of said Resolution: After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. McCulloch reported that the Committee had, according to order, had said Resolution under consideration, and directed him to report the same without amendment.

The report was concurred in.

A motion was made by Mr. Quinton to strike out in said Resolution the words "three hundred and thirty-eight" and insert "four hundred and fifty."

Mr. Robertson called for a division of the question.

The question was then put, on striking out and determined in the negative; Yeas 9, Nays 17.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative were Messrs. Baker, Booth, Campbell, Denson, Hepner, Morgan, Patterson, Quinton, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, McCulloch, Moss, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

So the motion was lost.

On motion of Mr. Whitaker,

Ordered, That said Resolution be read a third time on to-morrow.

No. 45, C. F. "A Bill to Incorporate the Methodist Episcopal Church of Marion," was read second time.

On motion of Mr. Moss,

Ordered, That said bill be indefinitely postponed.

Mr. Morgan from the Committee on Engrossed Bills reported Nos. 28, 32, 42 and 44, H. R. File, as correctly engrossed.

No. 45, H. R. File, "A Bill for an act to amend an act entitled "an act to provide for the appointing of Justices of the Peace to prescribe their powers and duties, and to regulate their proceedings," was read a second time.

On motion of Mr. Hepner,

Ordered, That said Bill be referred to the Committee on the Judiciary.

The following entitled Bills to wit:

No. 42, C. F. "A Bill to locate and establish a Territorial Road from Thomas Lingles' Mill in Johnson county to Marion via West Port in Linn county.

No. 28, H. R. File, "A Bill for an act to amend an act organizing a Board of County Commissioners in each County." and

No. 32, H. R. File, "A Bill authorizing Rachael Holcomb, Administratrix of the estate of Milo Holcomb Deceased, to sell certain real estate," were severally read a third time, passed and titles agreed to.

Ordered, That the Clerk request the concurrence of the Council therewith.

No. 42, H. R. File, "A Bill for an act to amend an act creating the office of Judge of Probate," was read a third time and passed.

On motion of Mr. Moss,

The title of said Bill was amended by striking out the word "creating" and inserting the word "establishing."

Ordered, That the Clerk notify the Council of the passage of said Bill.

No. 44, H. R. File, "A Bill to repeal the proviso to the 6th Section of an act regulating marriages," was read a third time.

A motion was made by Mr. Leffler to refer said Bill to the Committee on the Judiciary with instructions contained in the following Resolution.

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of so amending the Law so as to authorize marriages in all cases without license, where the same are solemnized according to the regulations and discipline of any religious society who may keep a record of the same,

And the question being put, was determined in the affirmative, Yeas 16, Nays 10.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs Biggs, Blair, Booth, Denson, Grant, Hebard, Higginson, Leffler, Morgan, Patterson, Porter, Robertson, Smead, Toole, Wilson and Lewis Speaker,—16.

Those who voted in the negative were Messrs. Baker, Campbell, Felkner, Hepner, Holliday, McCulloch, Moss, Quinton, Weld, and Whitaker,—10.

So the motion to refer was agreed to.

On motion of Mr. Hepner,

Ordered, That said Committee be further instructed to report on Friday next.

On motion of Mr. Whitaker,

The House adjourned.

Thursday Morning, January 13, 1842.

Mr. Leffler presented the remonstrance of sundry citizens of Des Moines county, remonstrating against any action of the Legislature in relation to the Territorial Road from Burlington to Fort Madison.

Ordered, That said remonstrance be referred to the Committee on Roads and Highways.

Mr. Leffler presented the remonstrance of sundry citizens of Des Moines county, remonstrating against the passage of the Valuation Law.

Ordered, That said remonstrance be laid upon the table.

Mr. Hepner offered the following:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of memorializing Congress to pass a law to authorize the people of this Territory to form a Constitution and State Government, and provide for the admission of such State into the Union.

And the question being put, Will the House adopt the resolution?

Was determined in the negative.

Mr. Whitaker offered the following:

Resolved, That the Enrolling and Engrossing Clerks be required to furnish the Presses in this city with an abstract of the daily Journal of this House, under the direction of the Chief Clerk.

Ordered, That said resolution do lie upon the table.

Mr. Denson, from the Select Committee, to which was referred No. 30, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the mouth of the Tetes des Mortes Creek, in Jackson county," reported the same back to the House with amendments.

Mr. Patterson, from the Select Committee, to which was referred a certain petition, reported No. 47, H. R. File, "A bill to authorize Robert M. G. Patterson to establish and keep a Ferry across the Mississippi river at the mouth of the Nassau Slough;" which was read a first time.

Mr. Biggs, from the Committee on Claims, reported No. 48, H. R. File, "A Joint Resolution, relative to incidental printing done by John H. McKenny," which was read a first time.

On motion of Mr. Biggs,

Ordered, That the 44th rule be suspended, and the resolution be read a second time now.

The resolution was read a second time, and,

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported, that the Committee had, according to order, had said resolution under consideration, and instructed him to report the same and ask leave to sit again on to-morrow.

Leave was granted.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed

No. 53, C. F. "A bill for an act to legalize the location of a Territorial Road in Henry county."

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Biggs, from the Committee on Claims, made the following report:

The Committee on Claims, to which was referred the Memorial of Laurel Summers, have had said memorial under consideration, and have come to the conclusion that no further legislation than what has heretofore been had, is necessary to secure the payment of his claim.

They would therefore ask to be discharged from the further consideration of said memorial.

The report was concurred in.

Mr. Hebard presented the petition of John S. David, in relation to a certain claim he holds against the Territory.

Ordered, That said petition be referred to the Committee on Claims.

The following resolution, to wit:

Resolved, That in consequence of the resolution of this House, dis pensing with the daily Journals, it will be expedient to employ a competent Reporter to attend the daily sittings of this House, and report its proceedings to the editors of the Iowa Capitol Reporter and Iowa City Standard, in order that the people may be early informed of the business acted on by this House, being the order of the day, was taken up, and being under consideration,

A motion was made by Mr. Weld, to amend the same, by inserting, after the word "Standard" the words "Iowa City Argus."

And the question being put—was determined in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and decided in the negative.

A motion was made by Mr. Whitaker, to take from the table the resolution offered by himself, and which reads as follows, to wit:

Resolved, That the Enrolling and Engrossing Clerks be required to furnish the Presses in this city with an abstract of the daily Journal of this House, under the direction of the Chief Clerk.

And the question being put

Was determined in the affirmative.

No. 32, H. R. File, "A bill for an act to amend an act entitled An act regulating Criminal Proceedings," being the order of the day, was taken up, together with the amendments made by the Committee of the whole House, and the question being to concur in the amendment made by the Committee to the 10th section, *which abolishes capital punishment*:

Pending which,

A call of the House was desired by five members, and the roll being called, all the members answered to their names except Mr. Campbell.

The Sergeant-at-Arms was then directed to require the attendance of the absentee.

After a short time, a further call of the House was,

On motion of Mr. Patterson,

Suspended.

A motion was then made, by Mr. Baker, to strike out the word "solitary" wherever it occurred in said section.

The motion was lost.

The question was then taken on concurring in said amendment, and determined in the affirmative

Yeas 15, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Denson, Felkner, Hebard, Holliday, Leffler, Moss, Porter, Quinton, Smead, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Booth, Grant, Hepner, Higginson, McCulloch, Morgan, Patterson, Robertson, Toole, and Lewis, Speaker.

So the amendment was concurred in.

The remaining amendments made by the Committee were then read and concurred in; and,

On motion of Mr. Moss,

The bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Moss,

The House adjourned.

Friday Morning, January 14, 1842.

Mr. Robertson presented the petition of sundry citizens of Scott county, in relation to the improvement of the navigation of the Upper Mississippi River.

Mr. Baker presented the petition of sundry citizens of Washington county, asking the Incorporation of a School District to be called the Davis Creek Academy.

Ordered, That said petitions be referred to the Committee on Incorporations.

Mr. Grant presented the petition of sundry citizens of the Town of Davenport, in Scott county, asking a new charter of Incorporation for said Town.

Ordered, That said petition be referred to the Committee on Incorporations.

On motion of Mr. Moss,

Ordered, That the Committee on the Judiciary be instructed to enquire into the expediency of amending an act concerning costs and fees in civil and criminal cases, and report by bill or otherwise.

Mr. Denson gave notice that he would on some future day introduce a Bill to locate a Territorial Road from Marion, in Linn county to the Indian boundary, in Benton county.

Mr. Baker gave notice, that he would, on some day hereafter, introduce a Bill for an act to legalize the location of a certain Territorial Road in Washington county.

Mr. Grant, on leave, introduced No. 49, H R. File, "A Joint Resolution in relation to the adjournment of the Legislature on the 31st inst. ,which was read a first time.

A motion was made by Mr. Patterson that said Resolution be indefinitely postponed.

And the question being put, was determined in the affirmative.

Yeas 21, Nays 5.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Booth, Grant, Leffler, Porter, and Wilson.

So the Resolution was indefinitely postponed.

A message from the Council, by Mr. Woods, their Secretary—

MR. SPEAKER—The Council have passed

No. 3, H. R. File, "A Bill to authorize Perriander Polloch and others to erect a Dam across the Wapesipenicon River."

No. 22, H. R. File, "A Bill for an act defining a Lawful fence and providing against trespassing animals"—with amendments.

No. 33, C. F. "A Joint Resolution instructing our Delegate in Congress to use his influence in procuring a confirmation or a resurvey of the present Northern boundary line of the Half Breed reservation, &c.

In which they ask the concurrence of the H. of R.

The Council have indefinitely postponed No. 8, H. R. File, A Bill to amend an act to prevent the selling of Liquor to the Indians, &c.

And then he withdrew.

Mr. Leffler, from the Committee on Public Instruction, to which was referred No. 23, H. R. File, A Bill for an act to provide for receiving the proportion of money to which Iowa will be entitled under the distribution Law and for other purposes; Reported the same back to the House with an amendment, also

No. 50, H. R. File, "A Memorial to the Secretary of the Treasury of the United States in relation to the two Townships of Land granted to the Territory," which was read a first time.

Mr. Leffler, from the Committee on the Judiciary, to which was referred No. 44, H. R. File, A Bill for an act amending an act entitled an act regulating Marriages, reported the same back to the House together with a substitute, which was read a first time.

Mr. Baker, on leave, introduced No. 50, H. R. File, "A Bill for an act to Incorporate a College at the Town Washington in Washington county," which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, made the following report:

The Committee on Roads and Highways to which was referred a petition from sundry citizens of Desmoines county, asking the appointment of Commissioners to relocate a Territorial Road from Burlington to Fort Madison, have examined the petition with the remonstrance, and have come to the conclusion that it is inexpedient to grant the prayers of the petitioners.

Therefore, the Committee ask to be discharged from the further consideration of the subject.

The report was concurred in.

Mr. Felkner, from the Select Committee for that purpose, reported No. 52, H. R. File, "A Bill to locate a Territorial road from Richmond in Washington county to intersect a Road from Iowa City to the county line of Washington county," which was read a first time, and the printing of the same ordered to be dispensed with.

Mr. Quinton, in accordance with previous notice, introduced No. 53, H. R. File, "A Bill to mako the Clerk of the Board of Commissioners elective by the people," also

No. 54, H. R. File, "A Bill supplementary to an act concerning water crafts found adrift, lost goods and estray animals," which were read a first time.

Mr. Morgan, from the Committee on Engrossed Bills, reported No. 15, H. R. File, as correctly engrossed.

Mr. Grant, from the Committee on Agriculture, submitted the following report to wit:

The Committee, on Agriculture, to which was referred the petition of sundry citizens of Scott county have had the same under consideration, and beg leave to report:

That the petitioners ask of the Legislature to pass a law requiring the citizens of the Territory to enclse their cattle in pastures, and provide for the cultivation of the soil without enclosures.

The Committee would not recommend the passage of such a law at this time, though we are of opinion that a period may come when the opinion and interest of the Community will sanction and require it.

The late Judge Buel, whose opinions on all subjects of agriculture are entitled to the highest consideration, was of opinion, that in a crowded country such a system was more profitable to the farmers than pasturing cattle at large, and he stated the result of an experiment made by himself, entirely conclusive, so far as it went.

In the best cultivated districts of Europe, cattle are kept in enclosures, and the fields are unenclosed and there is no reason why, if it is profitable elsewhere it should not be in Iowa. In many parts of the Territory, particularly the Northern and North Western portions, the proportion of timber to that of Prairie is very small, and the qualities of the latter for all agricultural products cannot be surpassed by the most favored regions of the West. Yet, this prairie region can never be populated unless some mode can be devised for cultivating without fencing.

If it be true, that it is cheaper to the farmer to soil his Stock than permit them to run at large, then the plan of the petitioners is unquestionably the best which can be adopted; and the subject is one, which, from its great importance to our future advancement commends itself to the serious consideration of the Legislature and their constituents.

The report was concurred in, and the Committee discharged from the further consideration of the subject.

Mr. Felkner, on leave, introduced No. 55, H. R. File, "A Memorial for a new land district," which was read a first time.

Mr. Hebard, in accordance with previous notice, introduced No. 56, H. R. File, "A Bill to authorize Joseph Stevens to build a dam across Skunk River," which was read a first time.

Ordered, That the printing of said Bill be dispensed with.

The House resumed in Committee of the whole House the consideration of No. 48, H. R. File, Joint Resolution relative to incidental printing done by John H. McKenny,"

After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported, that the Committee had, according to order, had said Resolution under consideration, and instructed him to report the same without amendment.

To which the House agreed.

On motion of Mr. Patterson,

Ordered, That said Resolution be referred to the Committee on Expenditures.

No. 30, H. R. File, "A Bill to locate and establish a Territorial Road from Marion, in Linn county to the mouth of the Tête dé Morte, in Jackson county," was read a second time.

A motion was made by Mr. Moss that said Bill be indefinitely postponed.

The motion was lost.

On motion of Mr. Wilson,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill.

After some time spent therein Mr. Speaker resumed the Chair and Mr. Moss reported that the Committee had, according to order, had said Bill under consideration and instructed him to report the same with amendments. To which the Housea greed.

A motion was made by Mr. Leffler that the House do now adjourn until 2 o'clock P. M.

The motion was lost.

A motion was then made by Mr. Moss to refer said Bill to the Committee on Roads and Highways.

And the question being put, was determined in the negative.

On motion of Mr. Wilson,

Ordered, That said Bill be engrossed and read a third time on to-morrow.

On motion of Mr. Moss,

The House adjourned.

Saturday Morning, January 15, 1842.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed

No. 55, C. F. "A bill to incorporate the Washington Manufacturing Company."

In which they ask the concurrence of the House of Representatives.

I herewith present for your signature an Enrolled Bill and Joint Resolution.

And then he withdrew.

The Speaker then signed said Bill and resolution.

Mr. Grant presented the remonstrance of sundry citizens of Scott county, remonstrating against any steps being taken towards the formation of a State Constitution.

Ordered, That said remonstrance do lie upon the table.

Mr. Higginson, from the Committee on Roads and Highways, reported No. 57, H. R. File, "A bill to amend an act, entitled 'An act establishing a certain Territorial Road therein named;'"

Which was read a first time, and the printing dispensed with.

Mr. Patterson, from the Committee on Roads and Highways, reported No. 58, H. R. File, "A bill to re-locate and establish a Territorial Road from Davenport to Dubuque," which was read a first time.

Mr. Felkner, from the Committee on Incorporations, reported No. 59, H. R. File, "A bill for an act to incorporate the town of Davenport," which was read a first time.

Bills, &c., from the Council, of the following titles, to wit:

No. 1, "A bill, entitled An act amendatory to an act, authorizing Henry Eno and others, to build a Dam across the Des Moines river."

No. 48, "A bill for an act to authorize William Pickerel, his heirs or assigns, to construct, keep, and maintain a Dam across Skunk River."

No. 53, "A bill for an act to legalize the location of a Territorial Road, in Henry county."

No. 33, "A Joint Resolution, instructing our Delegate in Congress to use his influence in procuring a confirmation or a re-survey of the present Northern Boundary line of the Half Breed Sac and Fox Reservation in Lee county." And,

No. 51, "A bill to locate and establish a Territorial Road from Jackeniah Baldwin's, in Cedar county, to Wm. Abbee's, in Linn county;"

Were severally read a first time.

No. 22, H. R. File, "A bill for an act, defining a lawful fence, and providing against trespassing animals," being returned from the Council with amendments, was taken up, read, and concurred in by the House.

No. 19, C. F., "A Joint Resolution, authorizing payment to be made to Messrs. Russell & Hughes, and W. W. Coriell for printing the Journals of the Council and House of Representatives," was read a third time.

A motion was made, by Mr. Hepner, that said resolution be referred to a Select Committee of five.

And the question being put—was determined in the affirmative.

Yeas 16, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Blair, Grant, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the resolution was referred.

Messrs. Morgan, Smead, Baker, Higginson, and Booth were appointed said Committee.

A message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Councl have passed

No. 29, H. R. File, "A bill to locate and establish a Territorial Road, from the county seat of Delaware county, to the town of West Cascade, in Dubuque county.

No. 32, H. R. File, "A Bill authorizing Rachael Holcomb, Administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate," with amendments.

No. 34, H. R. File, "A bill, to divorce Naomy Williams from her husband, Edward Y. Williams.

No. 58, C. F. "A bill to authorize the County Commissioners of Van Buren county to grant a license to Jesse Wright and Henry Bateman to keep a Ferry across the Des Moines river, at Watertown.

In which they ask the concurrence of the House.

And then he withdrew.

No. 15, H. R. File, "A bill for an act to amend an act entitled An act regulating Criminal Proceedings," was read a third time.

And the question being put, Shall the bill pass?

It was determined in the affirmative—Yeas 15, Nays 11.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs Baker, Biggs, Blair, Felkner, Grant, Hebard, Holliday, Leffler, Moss, Porter, Quinton, Smead, Weld, Whitaker, and Wilson.

Those who voted in the negative were Messrs. Booth, Campbell, Denson, Hepner, Higginson, McCulloch, Morgan, Patterson, Robertson, Toole, and Lewis Speaker.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 30, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the mouth of the Tete des Morte Creek, in Jackson county."

Was read a third time, passed, and title agreed to.

Ordered, That the Clerk acquaint the Council of the passage of said bill.

No. 23, H. R. File, "A bill for an act to provide for receiving the proportion of money to which Iowa will be entitled under the Distribution Law, and for other purposes;" was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 40, H. R. File, "A bill for an act, making provision for carrying into effect the act defining Crimes and Punishments;"

Was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Patterson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same, and ask leave to sit again on Monday next.

Leave was granted.

On motion of Mr Weld,

The House adjourned until Monday morning next.

Monday Morning, January 17, 1842.

Mr. Wilson presented the petition of two hundred and forty-five ci tizens of Henry county, asking the repeal of the present law in relation to Blacks and Mulattoes.

Mr. Wilson also presented the petition of sundry citizens of Jefferson county, on the same subject.

Ordered, That said petitions do lie upon the table.

Mr. Robertson presented the remonstrance of 76 citizens of Scott county, remonstrating against the passage of the Valuation Law;

Which was read, and laid upon the table.

Mr. Moss presented the petition of sundry citizens of Jackson county, asking the Legislature to grant a charter to Blithen S. Knight, to keep a Ferry across the Mississippi river, in said county.

Ordered, That said petition be referred to the Committee on Incorporations.

Mr. Grant, from the Committee on the Judiciary, reported No. 4, H. R. File, "A bill to amend an act, subjecting Real and Personal Estate to execution," back to the House without amendment.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 45, H. R. File, "A bill for an act to amend an act entitled 'An act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings;" reported the same back to the House without amendment.

Mr. Grant, from the Committee on the Judiciary, reported No. 61, H. R. File, "A Bill for an act to change the time of holding Courts in the third Judicial District."

Mr. Grant, from the Committee on the Judiciary, reported No. 62, H. R. File, "A Bill for an act to amend an act, concerning Costs and Fees."

Mr. Grant, from the Committee on the Judiciary, reported No. 63, H. R. File, "A Bill for an act to define the Jurisdiction of the Supreme and District Courts."

Said bills were severally real a first time.

Mr. Whitaker, from the Committee on Records, reported the Journals to be correctly recorded up to January the 14th inst.

Mr. Porter, from the Select Committee, to which was referred No. 37, H. R. File, "A Bill to incorporate the Mount Pleasant Literary Institute," reported the same back to the House.

Mr. Felkner, from the Committee on Incorporations, reported No. 64, H. R. File, "A bill for an act to amend an act entitled An act to authorize John Wilson to keep a Ferry across the Mississippi river, at the town of Davenport," which was read a first time.

Mr. Baker, in accordance with previous notice, introduced No. 65, H. R. File, "A Bill for an act to legalize the location of a certain Territorial Road in Washington county," which was read a first time.

Mr. Robertson, in accordance with previous notice, introduced No. 66, H. R. File, "A Memorial to Congress for the establishment of a National Armory at Rock Island, and for other purposes," which was read a first time, and the printing dispensed with.

Mr. Toole, in accordance with previous notice, introduced No. 67, H. R. File, "A bill for an act to legalize the location of certain Territorial Roads therein named;" which was read a first time.

Mr. Morgan, on leave, introduced No. 68, H. R. File, "A Joint Resolution, relative to the appointment of a Territorial Printer," which was read a first time.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to authorize Perriander Pollock and others, to erect a Dam across the Wapesipenicon river.

An act to locate and establish a Territorial Road, from the county seat of Delaware county, to the town of West Cascade, in Dubuque county;" and,

An act, to divorce Naomy Williams, from her husband, Edward Y. Williams.

The Speaker then signed said entitled acts.

No. 23, H. R. File "A bill for an act to provide for receiving the proportion of money to which Iowa will be entitled under the Distribution Law, and for other purposes;" and,

No. 24, H. R. File, "A bill to divorce Sarah East from her husband Hardman E. W. East;" were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 32, H. R. File, "A bill for an act to authorize Rachael Holcomb, administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate," being returned from the Council with amendments, was taken up, the same read, and severally concurred in, by amending the amendment of the Council.

The House resumed, in Committee of the whole House, the consideration of No. 40, H. R. File, "A bill for an act, making provision for carrying into effect the act defining Crimes and Punishments." After some time spent thereing,

Mr. Speaker resumed the Chair, and Mr. Patterson reported that the Committee had, according to order, had said bill under consideration, and instructed him to report the same, and ask to be discharged from a further consideration of the same.

The report was concurred in.

On motion of Mr. Biggs,

Ordered, That said bill be referred to the Committee on Public Buildings.

No. 46, H. R. File, "A bill to authorize Thomas S. Parkes to keep a Ferry across the Mississippi river;" was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

No. 47, H. R. File, "A bill to authorize Robert M. G. Patterson to establish and keep a Ferry across the Mississippi river, at the mouth of the Nassau slough;" was read a second time.

Ordered, That said bill engrossed, and read a third time on to-morrow.

No. 50, H. R. File, "A Memorial to the Secretary of the Treasury of the United States, in relation to the two townships of land granted to the Territory for a University," was read a second time.

On motion of Mr. Leffler,

The first blank in said bill was filled with the name of Uriah Biggs, of Van Buren county.

On motion of Mr. Weld,

The remaining blank was filled with the name of Alfred Hebard, of Des Moines county.

On motion of Mr. Smead,

Ordered, That said bill be engrossed for a third reading on tomorrow.

No. 51, H. R. File, "A bill for an act to incorporate a College at Washington, in Washington county," was read a second time.

On motion of Mr. Baker,

The House resolved itself into a Committee of the whole House for the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Porter reported, that the Committee had, according to order, had said bill under consideration, and directed him to report the same back to the House with sundry amendments.

To which the House agreed.

On motion of Mr. Baker,

Ordered, That said bill be engrossed for a third reading on tomorrow.

No. 52, H. R. File, "A bill making the Clerk of the Board of Commissioners elective by the people," was read a second time.

On motion of Mr. Felkner,

Ordered, That said bill be referred to the Committee on Territorial Affairs.

No. 53, H. R. File, "A bill supplementary to an act concerning Water Crafts found adrift, lost goods, and estray animals," approved Jan. 22, 1839," was read a second time.

On motion of Mr. Quinton,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr, Robertson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

A motion was made by Mr. Quinton, that the blank in said bill be filled with the names of "Van Antwerp and Hughes."

To which the House agreed.

A motion was made by Mr. Biggs, to strike out the enacting clause of said bill. Pending which,

On motion of Mr. Patterson,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

No. 53, H. R. File, "A bill supplementary to an act, concerning Water Crafts found adrift, lost goods, and estray animals," being under consideration, and the question pending at the adjournment of the forenoon's session, being to strike out the enacting clause of said bill,

Being put—was determined in the negative—Yeas 4, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Hebard, and Toole.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Porter, Quinton, Robertson, Weld, Whitaker, and Lewis, Speaker.

So the motion to strike out the enacting clause was lost.

Several amendments being proposed and made to said bill, it was,

On motion of Mr. Booth,

Ordered to be engrossed for a third reading on to-morrow.

No. 55, H. R. File, "A Memorial, for a new Land District;"

Was read a second time.

On motion of Mr. Higginson,

Ordered, That said memorial be referred to the Committee on Memorials.

No. 56, H. R. File, "A bill for an act to authorize Joseph Stephens to erect a Dam across Skunk river," was read a second time.

Ordered, That said bill be referred to the Committee on Incorporations.

No. 58, H. R. File, "A bill, to re-locate and establish a Territorial Road from Davenport to Dubuque," was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be re-committed to the Committee on Roads and Highways.

No. 59, H. R. File, "A bill to locate a Territorial Road from Richmond, in Washington county, to intersect a road from Iowa City, to the county line of Washington county;"

Was read a second time.

On motion of Mr. Baker,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 60, H. R. File, "A bill to amend an act, entitled An act establishing a certain Territorial Road therein named;"

Was read a second time.

On motion of Mr. Higginson,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

No. 1, C. F. "A bill entitled An act amendatory to an act authorizing Henry Eno and others, to build a Dam across the Des Moines river;" was read a second time.

A motion was made by Mr. Hepner, to refer said bill to the Committee on the Judiciary.

The motion was lost.

A motion was made by Mr. Weld, to strike out the third section of said bill.

And the question being put—was determined in the affirmative.

The question then being put, on reading the said bill a third time.

Was determined in the negative—Yeas 7, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, McCulloch, Patterson, Quinton, Robertson, and Toole.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, Leffler, Morgan, Moss, Weld Whitaker, Wilson, and Lewis, Speaker.

So the bill was lost.

No. 33, C. F. "A Joint Resolution, instructing our Delegate in Congress to use his influence in procuring a confirmation, or a re-survey of the present northern boundary line of the Half-Breed Sac and Fox Reservation, in Lee county;" was read a second time.

On motion of Mr. Patterson,

Ordered, That said resolution be read a third time on to-morrow.

A Message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 60, C. F. "A Joint Resolution, providing for the distribution of the Reports of the Supreme Courts."

In which the concurrence of the House of Representatives is requested.

The Council have agreed to the amendment made by the House of Representatives to the amendment of the Council to No. 32, H. R. File, "A bill to authorize Rachael Holcomb, administratrix of the estate of of Milo Holcomb, deceased, to sell certain real estate."

I herewith return 3 enrolled bills, which have been signed by the President of the Council.

And then he withdrew.

No. 48, C. F. "A bill for an act to authorize William Pickerel, his heirs, or assigns, to construct, keep, and maintain, a Dam across Skunk river," was read a second time.

On motion of Mr. Baker,

Ordered, That said bill be referred to a Select Committee.

Whereupon, Messrs. Baker, Quinton, and Higginson, were appointed said Committee.

Mr. Baker, on leave, presented a petition in relation to said bill, which was referred to the same Committee.

No. 51, C. F. "A bill to locate and establish a Territorial Road from Jackeniah Baldwin's, in Cedar county, to Wm. Abbee's, in Linn county," was read a second time.

On motion of Mr. Higginson,

Ordered, That said bill be referred to the Committee on Roads and Highways.

No. 53, C. F., "A bill for an act to legalize the location of a Territorial Road in Henry county," was read a second time.

On motion of Mr. Wilson,

Ordered, That said bill be read a third time on to-morrow.

No. 4, H. R. File, "A bill to amend an act subjecting real and personal estate to execution," was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill. After some time spent therein,

Mr. Speaker resumed the Chair and Mr. Toole reported that the Committee had, according to order, had said Bill under consideration and instructed him to report the same, and ask leave to sit again on to-morrow.

Leave was granted.

Mr. Patterson presented the report of the Superintendent of the Penitentiary, which,

On motion of Mr. Biggs,

Was referred to the Committee on Public Buildings.

On motion of Mr. Grant,

Ordered, That one hundred copies of said report be printed for the use of the House.

Said Report reads as follows:

IOWA CITY, (I. T.) JANUARY 17, 1842.

To the Honorable the House of Representatives of the Territory of Iowa:

In compliance with a resolution adopted by your honorable body on the 4th instant, I have the honor to submit the following report of the cost of completing the Iowa Penitentiary; and in doing so, I regret that it is not in my power to report jointly with the Director, which would be more strictly in accordance with the resolution, but I have no hesitation in saying that this report will meet the approbation of the Director.

The following statement will show the cost of completing the main prison, including the Warden's house:

4,222	feet of cut stone for the fronts of walls, at 30 cents per foot for cutting alone, - - - -	$1680 80
388	perches of common stone-work, including the setting of cut stone in front walls, at $5,	1940 00
224	perches of ruble masonry in the rear walls, at $4,	896 00
16,000	feet of oak and walnut lumber for roof and flooring, at $1.50 per 100 feet,	240 00
100,000	shingles, at 4.50 per 1000,	450 00
5,500	feet of clear pine lumber, at $3 per 100 feet,	165 00
2,260	feet of hewed timber, at 5 cents per foot,	113 00
	Carpenters' work complete,	1200 00
	Blacksmiths' work complete,	800 00
1,800	lbs. Iron, at 9 cts. per lb., for grates, &c.	162 00
7	iron grated doors complete, at $30 per door,	210 00
600	yards of plastering, at 50 cents per yard,	300 00
	Glass, nails, painting, glazing, &c.	220 00
	Total,	$8,376 80

The following is a statement of the cost of completing the Cells:

16,640	feet of fine cut stone for cells, at $1 per foot when laid in the cells,	$16,640 00
128	iron grated doors complete, at $30 each,	3,840 00

200	perches of stone work in foundations, &c., $4.00	800 00	
	Stairways complete for cells,	100 00	
200	lbs. of iron clamps for cell work, at 10 cts.	20 00	
			21,400 00

The following statement will show the cost of finishing the outer or yard walls:

1,212	perches of ruble masonry, at $3.50 per perch,	4,232 00	
1	double iron gate with locks, bolts, &c.	80 00	
			4,312 00
	Total,		$34,088 80

The following is a list of credits the above account is entitled to, the same being for materials now on hand:

3640	feet of dimension stone, at 20 cents,	$748 00	
800	perches of common stone, at $2,	1600 00	
1500	feet of fine cut stone for cells, at 80 cts.	1200 00	
800	lbs. of iron, at 9 cts. per lb.	72 00	
			3,620 00
	Total cost of completing the Penitentiary,		$30,468 80

It will be seen by reference to the reports of the Director, that the amount heretofore expended in the erection of the Penitentiary, is $28,628 20—$20,000 of which has been paid off by an appropriation from the United States, leaving a balance of $8,628 20 due and unpaid; and should Congress make a small appropriation at the present session of ten or fifteen thousand dollars, the Superintendent would be enabled, by paying off the present debts, to contract for the full completion of the main prison and outer or yard walls, at the prices as above stated, in advance of appropriations, by having the sanction of the Legislature so to do: and could do so now, were it not that doubts are entertained by some of the assumption of debts thus created, by the future State of Iowa, in case Congress should fail to make an appropriation sufficient to discharge the debts thus created.

It will be seen, by deducting the amount paid to officers out of the amount heretofore expended on the Penitentiary, and the amount necessary to complete the work, that the first estimate of $55,000 for the total costof completing the same, which was furnished the Legislature by the Superintendent before the commencement of the work, was entirely correct.

And in conclusion, I would respectfully suggest the propriety of dispensing with the third tier of cells: and I do so now, to enable the Legislature to make some decision in relation to the same at the present session, so that in case of an appropriation by Congress for said work the present winter, a proper finish may be put upon the second tier, should it be deemed expedient to dispense with the third.

My reasons for recommending the top tier of cells to be dispensed with are, first, that it will render the prison much more secure on account of the ceiling being much higher above the block of cells; and second, on account of the saving of the cost of the same, which would be $7,870 00; and I would further remark, that there will be 92 cells without the third tier, therefore it will be of little use for fifteen or twenty years to come, at which time the third tier can be created, and even the fourth or fifth, by raising the main building higher.

All of which is respectfully submitted.

AMOS LADD,
Sup't of the Iowa Penitentiary.

On motion of Mr. Hebard,
The House adjourned.

Tuesday Morning, January 18, 1842.

Mr. Toole presented the petition of sundry citizens of Louisa county, asking the Legislature to pass a law legalizing the location of a certain Territorial Road in said county.

On motion of Mr. Toole,

Ordered, That said petition be referred to a Select Committee.—Messrs. Toole, Holliday, and Blair were appointed said Committee.

Mr. Moss presented the petition of sundry citizens of Jackson county, in relation to the establishment of a Territorial Road, from Point Pleasant, in Clinton county, to Dubuque, via Goodenow's ferry, on the south fork of the Maquoqueta.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Denson gave notice, that he would, on some future day, introduce a bill to authorize the County Commissioners of Jones county, to open, and cause to be kept in order, so much of the National Road as passes through said county.

On motion of Mr. Toole,

Ordered, That a Select Committee be appointed, to be composed of one member from each electoral district, to take into consideration the propriety of memorializing Congress for an appropriation to improve certain mail routes in this Territory—Whereupon,

Messrs. Toole, Quinton, Whitaker, Patterson, Felkner, Robertson, Leffler, Moss, Higginson, and Porter, were appointed said Committee.

Mr. Hebard, from the Committee on Engrossed Bills, reported Nos. 46, 50, 51, 53, 59, and 60, H. R. File, as correctly engrossed.

Mr. Hepner, from the Committee on Enrollments, reported, that said Committee had presented to the Governor, for his approval, on the 17th inst., an act to autharize Perriander Pollock and others, to build a dam across the Wapesipenicon river;

An act to divorce Naomy Williams from her husband Edward Y. Williams. Also,

An act to locate and establish a Territorial Road from the county seat of Delaware county, to the town of West Cascade, in Dubuque county;

An act to locate and establish a Territorial Road from Thomas Lingle's Mill, in Johnson county, to Marion, via West Port, in Linn county. And,

A Preamble and Joint Resolution, requesting our Delegate in Congress to use his influence in procuring a change in the existing system of licensing traders to deal with the Indians.

Mr. Toole, in accordance with previous notice, introduced No. 69, H. R. File, "A Bill to authorize persons to remove fences made by mistake on the land of other persons," which was read a first time.

A motion was made by Mr. Toole, that the printing of said bill be dispensed with.

The motion was lost.

Mr. Biggs gave notice, that on to-morrow, or some subsequent day, he should ask leave to introduce a bill for an act for the relief of the poor. Also, a bill for an act to authorize the establishment of poor houses.

The House resumed in Committee of the whole House the consideration of No. 4, H. R. File, "A bill to amend an act, subjecting real and personal estate to execution. And after some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said bill under consideration, and had instructed him to report the same back to the House with an amendment, and ask to be discharged from its further consideration.

The report was concurred in.

On motion of Mr. Grant,

Ordered, That said bill be referred to a Select Committee.

Whereupon, Messrs. Grant, Biggs, Leffler, Toole, and Baker, were appointed said Committee.

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute," was read a second time.

A motion was made by Mr. Hepner, to refer said bill to the Committee on Incorporations.

The motion was lost.

On motion of Mr. Porter,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Smead reported, that the Committee had, according to order, had said bill under consideration, and had instructed him to report the same back to the House with amendments.

Which report was concurred in.

On motion of Mr Porter,

Ordered, That said bill be referred to the Committee on Incorporations.

No. 45, H. R. File, "A bill for an act to amend an act entitled An act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings," approved January 21st, A. D. 1839, was read a second time.

On motion of Mr. Toole.

The House resolved itself into a Committee of the whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

To which the House agreed.

On motion of Mr. Whitaker,

Ordered, That said bill be referred to a Select Committee.

Whereupon, Messrs. Whitaker, Hepner, and Baker were appointed said Committee.

On motion of Mr. Campbell,

The House adjourned.

Wednesday Morning, January 19, 1842.

The Speaker presented the remonstrance of sundry citizens of Jackson county, in relation to the seat of justice of said county, which,

On motion of Mr. Robertson,

Was laid on the table.

The Speaker also presented the petition of sundry citizens of Jackson county, in relation to a certain Territorial Road within said county.

On motion of Mr. Moss,

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Smead presented the petition of sundry citizens of Henry county, in relation to the establishment of a Territorial Road, from Crawfordsville, via London and Smith's mill, to West Point, in Lee county.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Leffler gave notice, that he should, on some future day, introduce a Memorial to Congress for the relief of Jeremiah Smith.

Mr. Toole gave notice, that he should, on some future day, introduce a Memorial to Congress on the subject of the Iowa and Cedar River Canal.

Mr. Whitaker, from the Select Committee to which the subject was referred, reported No. 70, H. R. File, "A bill for an act entitled An act to provide for the appointing of Justices of the Peace, and to prescribe their powers and duties, and to regulate their proceedings, approved January 21st, 1839;" which was read the first time.

Mr. Grant, from the Select Committee, to which was referred No. 4, H. R. File. "A Bill to amend an act subjecting real and personal estate to execution," reported No 71, H. R. File, as a substitute for the same, which was read a first time.

Mr. Felkner, from the Committee on Incorporations, to which was referred a certain petition from sundry citizens of Washington county, asking the incorporation of a School District, to be called the "Davis Creek Academy," reported that the Committee had had the same under consideration, and do not deem it expedient to grant the prayer of said petition.

The report was concurred in.

Mr. Felkner, from the Committee on Incorporations, to which was referred the petition of sundry citizens of Jackson county, asking the Legislature to grant a charter to Blithen S. Knight, to keep a Ferry across the Mississippi river, in said county, reported, that the Committee did not find it expedient to grant the prayer of the petitioner.

The report was concurred in.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act defining a lawful fence, and providing against trespassing animals.

The Speaker then signed said entitled act.

Mr. Denson, in accordance with previous notice, introduced

No. 72, H. R. File, "A bill for an act to provide for opening and improving the National Road;" which was read a first time.

A motion was made by Mr. Toole, that the printing of said bill be dispensed with.

The motion was lost.

No. 57, H. R. File, "A bill for an act amending an act entitled An act regulating Marriages," approved Jan. 6th, 1840, was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the whole House, for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Weld reported, that the Committee had, according to order, had said bill under consideration, and had instructed him to report the same with sundry amendments.

To which the House agreed.

A motion was made by Mr. Hepner to amend said bill by striking out the 1st section, and inserting the following as a substitute therefor, to wit: "That the *proviso* to the 6th section of an act, entitled 'An act regulating Marriages, approved Jan. 6th, 1840, be, and the same is hereby, repealed."

And the question being put, was determined in the negative.

Yeas 7, Nays 18.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Felkner, Hepner, McCulloch, Moss, Quinton, Weld, and Whitaker.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Grant, Hebard, Higginson, Holliday, Leffler, Patterson, Porter, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

So the motion was lost.

A motion was then made by Mr. Whitaker, that said bill be indefinitely postdoned.

And the question being put

Was determined in the affirmative.—Yeas 14, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Denson, Felkner, Grant, Hebard, Moss, Patterson, Porter, Quinton, Robertson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Blair, Booth, Campbell, Hepner, Higginson, Holliday, Leffler, McCulloch, Tool and Wilson.

So the bill was indefinitely postponed.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 36, H. R. File, "A Bill for an act to legalize certain acts of the Board of Commissioners of Clinton county."

And have indefinitely postponed

No. 30, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the mouth of the Tete de Morte Creek, in Jackson county.

And then he withdrew.

On motion of Mr. Biggs,

The House adjourned.

Thursday Morning, January 20, 1842.

Mr. Leffler, from the Committee on Public Instruction, submitted a report, which was read, and laid upon the table, and one hundred copies ordered to be printed.

Said report reads as follows:

The Committee on Public Instruction, to whom was referred so much of the Governor's Message as relates to Common Schools, have had the same under consideration, and beg leave to make the following report:

Your Committee deems it unnecessary to go into any argument to prove the importance of a well organized system of Education, and the general dissemination of knowledge among the people. All will admit that the best hopes of the friends of free government are derived from this source.

The Committee, taking this as the basis of their action, were naturally led to the enquiry, how a well organized and a well digested system of Education could be introduced and carried into effect in this Territory.

At the session of 1839–'40 the attention of the Legislature was drawn to this subject, and a law was passed authorizing the organization of School Districts, with authority to elect the requisite officers and assess a school tax. Under this law, some few districts in the more populous parts of the counties of Lee, Henry, Van Buren, and Des Moines, have organized and promise some degree of success.

Your Committee believes that, at the present, there is no necessity for any change in this law. Its practical operation will show its defects (if there be any,) any future legislation can add to its perfection.

By a reference to the systems of Education in the States, it will be found they have proved successful in the thickly inhabited portions of the country, where the funds have been sufficient: but not so where the population is sparse. The latter is the case in many portions of this Territory—a thing common in new countries. Many of our settlements are so scattered and detached, that schools cannot be formed. A few years, however, will, in a great degree, remove this difficulty within the limits of the present settlements.

By a reference to the laws, the Committee find that all moneys arising from fines, drifted water crafts, lost goods, and estrays, are directed to be paid over to the officers of the several organized School Districts, to be applied in aid of such Schools; and, although these laws have been in force for two years, the Committee have been unable to find that any moneys have been paid over—a case which probably calls for legislative interference.

Your Committee cannot see that the application of any moneys which the Territory can now command, would be of much avail. The amount for some years will likely be limited, and when divided, be of little use, and partial in its application, from the fact that many districts will not and cannot organize.

From the foregoing premises, the Committee have come to the conclusion that no permanent aid on the part of the Legislature, in a pecuniary point of view, can, at this time, be afforded to the Primary Schools; but are gratified to say, that they can see, in advance, the means within the power of the Legislature, if properly husbanded, to create a permanent fund, of an amount which, in a few years, may be sufficient for all the objects of a Primary School.

This fund the Committee proposes to create by the collection and funding in the hands of the Territorial Treasurer, all moneys arising from fines, forfeitures, and any violation of the penal laws of the Territory, from drifted water crafts, lost goods, estrays, escheats, and the portions of money to which the Territory may be entitled under the act of Congress distributing the proceeds of the sales of the public lands—to be used for this object and no other, and to be increased from time to time by such means as the Legislature, in ~~their~~ wisdom, may devise, until the interest be sufficient to justify its application without affecting the principal.

The last Legislature passed a law providing for the appointment of a Superintendent of Public Instruction, with a salary of two hundred and fifty dollars per annum. This officer, in the opinion of your Committee, is unnecessary. ~~They~~ therefore recommends that this office be abolished.

With these views, the Committee report a bill.

Mr. Leffler, from the same Committee, reported No. 73, H. R. File, "A bill creating a permanent School Fund, and for other purposes;" which was read a first time.

Mr. Campbell, in accordance with previous notice, introduced No. 74, H. R. File, "Joint Resolution, requesting our Delegate in Congress to use his influence to have mails carried on board Steam Boats, from St. Louis to Keokuk," which was read a first time.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 9, C. F. "Preamble and Resolution, in relation to the southern boundary line of this Territory," reported the same back to the House with amendments.

Mr. Felkner, from the Committee on Incorporations, to which was referred No. 56, H. R. File, "A bill to authorize Joseph Stephens to build a Dam across Skunk River," reported the same back to the House without amendment.

Mr. Hepner, on leave, introduced No. 75, H. R. File, "A Joint Resolution, instructing our Delegate in Congress to use his influence to procure the passage of a law to authorize the people of this Territory to form a Constitution and State Government," which was read a first time.

Mr. Felkner, from the Committee on Incorporations, to which was referred No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute," reported the same back to the House with amendments.

Bills, &c., from the Council, of the following titles, to wit:

No. 55, "A bill to incorporate the Washington Manufactoring Company."

No. 58, "A bill to authorize the County Commissioners of Van Buren county to grant a License to Jesse Wright and Henry Bateman to keep a Ferry across the Des Moines river, at Water Town," and,

No. 60, "A Joint Resolution, providing for the distribution of the Reports of the Supreme Court;"

Were severally read a first time.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed

No. 46, C. F., "A Joint Resolution authorizing the Secretary to pay George C. Robbins for furnishing Seals for the District Courts of Linn and Jones counties."

Also, with amendments—

No. 9, H. R. File, "A bill to incorporate the town of Mount Pleasant."

In which they ask the concurrence of the House of Representatives.

They have also passed

No. 24, H. R. File, "A bill to divorce Sarah East from her husband Hardman E. W. East."

And then he withdrew.

Bills, &c., of the following titles, to wit:

No. 33, C. F., "A Joint Resolution, instructing our Delegate in Confiress to use his influence in producing a confirmation or a re-survey of the present nor thern boundary line of the Half-Breed Sac and Fox Reservation, in Lee county."

No. 53, C. F. "A bill for an act to legalize the location of a Territorial Road, in Henry county."

No. 46, H. R. File, "A bill to authorize Thomas S. Parkes to keep a Ferry across the Mississippi river."

No. 47, H R. File, "A bill to authorize Robert M. G. Patterson to establish and keep a Ferry across the Mississippi river at the mouth of Nassau Slough."

No. 50, H. R. File, "A Memorial to the Secretary of the United States in relation to the two townships of land granted to the Territory for a University.

No. 51, H. R. File, "A bill for an act to incorporate a College at Washington, in Washington county."

No. 59, H. R. File, "A bill to locate and establish a Territorial

Road from Richmond, in Washington county, to intersect a road from Iowa City to the county line of Washington county."

No. 60, H. R. File, "A bill to amend an act entitled An act establishing a certain Territorial Road therein named," approved January 13, 1841.

Were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

No. 53, H. R. File, "A bill supplementary to an act concerning water crafts found adrift, lost goods, and estray animals," approved January 22, 1839, was read a third time.

The question being put, Shall the bill pass?

It was determined in the negative—Yeas 10, Nays 14.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs Baker, Booth, Hepner, Higginson, McCulloch, Morgan, Patterson, Quinton, Weld, and Whitaker.

Those who voted in the negative were Messrs. Biggs, Blair, Denson, Felkner, Grant, Hebard, Holliday, Leffler, Moss, Robertson, Smead, Toole, Wilson, and Lewis Speaker.

So the bill was lost.

No. 76, H. R. File, "A Bill for an act to incorporate the town of Davenport," was read a second time.

On motion of Mr. Grant,

The House resolved itself into a Committee of the whole House for the consideration of said bill.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Whitaker reported, that the Committee had, according to order, had said bill under consideration, and directed him to report the same with sundry amendments.

The report was concurred in.

A motion was made by Mr. Baker, to amend said bill, by striking out the word "shall," and inserting the word "May," in the 6th line of the 9th section.

To which the House agreed.

A motion was made by Mr. Baker, to strike out, in the 7th line and 9th section, the words "nor less than ten days."

And the question being put—was determined in the affirmative.

On motion of Mr Robertson,

Ordered, That said bill be engrossed and read a third time on to-morrow.

A motion was made by Mr. Weld, that the House do now adjourn.

The question being put,

Was determined in the negative—Yeas 5, Nays 20.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Higginson, Morgan, Toole, Weld, and Wilson.

Those who voted in the negative were—Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Holliday, Leffler, McCulloch, Moss, Patterson, Quinton, Robertson, Smead, Whitaker, and Lewis, Speaker.

So the motion to adjourn was lost.

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

No. 61, H. R. File, "A bill for an act to change the time of holding Courts in the Third Judicial District;" was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be referred to a Select Committee, to be composed of the members from the Third Judicial District.

No. 62, H. R. File, "A bill for an act to amend an act concerning Costs and Fees," was read a second time.

On motion of Mr. Moss,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Wilson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same back to the House with sundry amendments, and ask leave to sit again on to-morrow.

The report was concurred in.

A Message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 72, C. F. "A Joint Resolution, authorizing an investigation by a Joint Committee of the Council and House of Representatives, of the Miners' Bank of Dubuque."

No. 5, H. R File, "A bill to authorize Jason Wilson to erect a Dam across Skunk River, in Lee county." Also with amendments,

No. 28, H. R. File, "A bill for an act to amend an act organizing a Board of County Commissioners in each county."

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

On motion of Mr. Hebard,

The House adjourned.

Friday Morning, January 21, 1842.

Mr. Booth, from the Committee on Territorial Affairs, to which was referred No. 52, H. R. File, "A bill, making the Clerk of the Board of County Commissioners elective by the people," reported the same back to the House with an amendment.

Mr. Grant, from the Committee on Agriculture, submitted a report, which being read,

A motion was made by Mr. Smead, that 100 copies of the same be printed.

And the question being put—was determined in the affirmative:

Yeas 15, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Blair, Booth, Campbell, Felkner, Grant, Hebard, Hepner, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Denson, Higginson, Holliday, Moss, Porter, Quinton, Robertson, Toole, and Wilson.

So the report was ordered to be printed—which reads as follows:

The Committee on Agriculture, to whom was referred a resolution of this House, directing them to inquire into the expediency of appropriating a sum of money for the encouragement of Agriculture, have had the same under consideration, and beg leave to report a bill in compliance with said resolution.

The bill provides for the appropriation of twelve hundred dollars to county societies, provided each county will raise a sum equal to that appropriated, and two hundred dollars to a Territorial society. It provides for the organization of Agricultural societies for the Territory and in townships: It provides for the distribution of the money in premiums, provided each society will raise by subscription a sum of money equal to that appropriated. The bill requires reports from each Agricultural society, receiving the benefit of the law to the Territorial society, and from the Territorial Society to the Secretary of State.

By this means, it is believed, that a vast amount of agricultural improvement and experience would be collected at the seat of government every year: and a new impetus would be given to that calling of nine-tenths of our population, which is at once the most ancient, honorable and useful of the occupations of man.

Your Committee are of opinion, that in no part of our Republic is such information more necessary, than in this Territory. Possessed of a soil more fertile than the most favored portions of the globe, and a population, probably as industrious and economical as any of the western divisions of the nation; the farmer of Iowa is scarcely able to support a family, much less obtain a profitable reward for his labor.

The ordinary productions of our soil, under the present system of cultivation, such as corn, wheat, oats, potatoes, pork, or beef, will little more than pay for the costs of cultivating and feeding: and it is believed that the average rental of land will not exceed two dollars in money per acre. In many parts of England and Scotland it is sixty per acre.

The present prices of our staples are less than ever before known, in days of western hard times, and unless a change is produced, and that at no very distant period, many of our farmers must abandon the cultivation of the soil, or become hopelessly bankrupt.

The best remedy for this state of things will be, a change in many of our products, and a better system of agriculture; new crops and better modes of cultivating our present staples must be introduced. We must devote more attention to sheep; to the culivation of hemp and tobacco, the growing of vines, and the rearing of silk worms. We must introduce new breeds of cattle, horses, and swine, and by better care and attention to our native breeds, render them *more* valuable. We must, indeed, excite an agricultural spirit, and stimulate the farmer's ambition.

Your Committee do not pretend, that by the proposed bill, all these things would be accomplished, but like the entering wedge, which ultimately cleaves the sturdy oak, it would be the commencement of a system which would open to our citizens all the modern improvements in agricultural science, give new life to the enterprize of our farmers, and invigorate the system of cultivation throughout our Territory.

An appropriation of a smaller sum in proportion to population, was made by the Legislature of New York in May last, which has been attended with results more favorable than the anticipations of the most enthusiastic friends of the great cause of agriculture could have anticipated; and it is generally believed that, this small appropriation of eight thousand dollars has contributed more to the general good of that great State, than any million of dollars, which she has spent in internal improvement, since the completion of the Erie canal.

A State Fair was held at Syracuse in the month of last September, which was attended by ten or fifteen thousand people, most of them farmers; several hundred blooded horses, cattle, hogs, sheep, &c., were exhibited; every farming tool and labor-saving machine which the ingenuity of our country has invented, claimed premiums; and agriculture, already highly advanced, may justly regard that Fair as a new era, in which it will be the pride of its followers ever to commemorate, in all time to come.

Mr. Grant, from the Committee on Agriculture, reported No. 77, H. R. File, "A bill for an act for the encouragement of Agriculture," which was read a first time.

Mr. Hebard, from the Committee on Engrossed Bills, reported No. 76, H. R. File, as correctly engrossed.

Mr. Morgan, from the Committee on Military Affairs, to which was referred so much of the Governor's Message as relates to exempting the Society of Friends, or Quakers, from the performance of military duty on account of their conscientious scruples, submitted a report, and recommended the adoption of the following resolution:

Resolved, That it is inexpedient to take any legislative action on that part of the Governor's Message, which relates to exempting Quakers from military service, on account of their conscientious scruples against bearing arms.

A motion was made by Mr. Baker, that two hundred and fifty copies of the said report be printed for the use of the House.

And the question being put—was determined in the affirmative.

Yeas 17, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Grant, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Hebard, Higginson, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the motion to print was agreed to.

The question was then taken on the adoption of the resolution recommended by the Committee, and determined in the affirmative.

Said report reads as follows:

The Committee on Military Affairs, to whom was referred so much of the Governor's Message as relates to exempting the Society of Friends, or Quakers, from the performance of military duty on account of their conscientious scruples against bearing arms, beg leave respectfully, to report:

That they have had the same under consideration, and, after mature reflection, have come to the conclusion that no such exemption ought to be allowed. Your Committee are of opinion that the "conscientious scruples" of any sect, as such, do not come legitimately within the province of legislation, and should not, therefore, become the basis of any action on the part of a legislative body which represents the whole people. If conscience be a thing inherent in the human mind, it is, of course, an attribute common to all men, and its "scruples" should therefore be regarded with the same sacred respect in one man as in another—and if the protecting Ægis of the law should be thrown around the conscience of the Quaker, it should also shield from insult and outrage the equally solemn "scruples" of every other man. In this view of the subject, (supposing the sentiment, or whatever it may really be, called "conscience," to be inherent,) the protection of one set of consciences to the exclusion of others, yet all deriving their existences from the same Creative fountain, would be not only contrary to the genius of our government, but an impious effort to thwart the designs of Providence by making an invidious and injurious distinction among things which God and Nature had originally created equal. And if, on the other hand, conscience be the creature of education, controlling our acts by a sense of truth and the light of knowledge, and prompting us, by its enlightened admonitions, to a correct view of right and of wrong, then are your Committee the still less inclined to give it any charter of special privilege—for, without the divinity of Heavenly endowment, it has not the same claims to our veneration, is unequal and unlike among mankind, perfect only in proportion as men's minds are enlightened, and, even in its most perfect state, partaking of every hue and shade of variance that distiuguish the human mind, and consequently subject at all times to the caprices and mutations of human opinions. The difference, then, between men's minds, their education and their opinions, is, under this rule, just the difference between men's consciences. And under this rule every man is supposed to have a conscience of its own kind. Now, your Committee would ask, if it were right, is it possible to legislate for the accommodation of so great a variety of consciences? And yet, if we pass laws to quiet the qualms of the Quaker, we are equally and morrally bound, if asked, to accommodate the "scruples" of every other man, whether those scruples be against marching to the measure of martial music in a militia drill, or against hearing the sound of the church bell on the Sabbath.

In a political point of view, your Committee are of opinion, that, to exempt Quakers from, and yet compel all other citizens to the performance of military duty, would be an unauthorized and unjust violation of the great cardinal maxim on which our system of government is based—EQUAL RIGHTS. Any exclusive privilege, conferred upon one class and denied to any other, or all others, is just so much stolen from the liberties of the mass, and is, so far, a violation of the first and highest principle of our government. To exempt the Quakers, or any other class of people, from duties or fines to which all other citizens are subjected, would, therefore, be conferring a privilege at once unjust to a very large majority of the people, and contrary to the spirit of our institutions.

The authority which gives us political existence as a Territory, confers equal privileges, and imposes equal duties, upon all our citizens. We have no right to go beyond that authority. It is enough to know, and surely it is as much as could reasonably be asked, that the Quakers, by that authority, like all other citizens, are allowed the privilege of worshipping Almighty God in the form and spirit dictated by their own consciences. In this, to the Christian the most important matter, the rights of all are alike, and to all they are alike secured.

And so, too, with the duties imposed—each and every citizen has his equal portion to perform. Neither the Constitution, nor the Ordinance of 1787, nor the Organic Law establishing our Territory, know any distinction among our citizens as to who shall contribute, (by bearing arms, and by paying fines and taxes,) to the "common defence and general welfare."

These higher authorities, from which we derive our political being, having made no distinction of this kind, but, on the contrary, expressly provided that the rights enjoyed, and duties imposed, shall be equal among all, your Committee are of opinion, that if a Territorial Legislature, restricted in its powers, and acting within prescribed limits, should attempt to create so odious a distinction, it would commit an infraction of the Constitution and of the laws of the General Government, which would be little short of treason, and one which would justly call down upon its members the indignant execrations of the people whom they should thus betray.

"PEACE," and "GOOD WILL AMONG MEN," seem to be the results drawn, by all professing christians, from the precepts of the holy scriptures. War and bloodshed, then, must of course naturally arouse the scruples not only of the Quaker but of every other professing christian. And if so, your Committee cannot perceive why all who make a professon of religion in any form should not also be exempted from military service for the same cause, and thus make treason honorable by making it legal, and popular by making it general—leaving the country, in case of invasion, without any means of defence other than the "conscientious scruples" of those who might, at such a time, be "disinclined to military service." With this view of the "horrors of war," and the sensitiveness of all good consciences on the subject, it will be perceived that your Committee, notwithstanding the mature consideration which they have given to the suggestions of his Excellency the Governor, have not been able, even by the nicest and most thorough investigation, to find so material a difference between the consciences of the Quakers and the consciences of other good citizens as to induce them (your Committee) to report in favor of extending to the Quakers the exemption privilege recommended by his Excellency.

That your Committee may be fully understood in the views which they have presented above, they will quote all that part of the Governor's message which they have considered. It is as follows:

"There is a very industrious and valuable class of our population, "who conscientiously scruple to bear arms, in whose favor there is no "exemption provided by our Militia Laws. I would recommend that "provision be made for such cases; leaving them subject, in time of war, "to pay an equivalent for personal service."

Your Committee concur in opinion with his Excellency as to the industry and many virtues of that class of our population; but at the same time they cannot, for the reasons before expressed, concur in the recommendation of his Excellency to "provide an exemption" in their favor, neitheir in time of peace nor in war.—With all deference to the views of his Excellency, your Committee cannot coincide in the opinion here evidently suggested, in meaning, if not in words, that a distinction should be made between the influence of conscience in time of peace and its influence in time of war. If this influence deserve protection at one time, it deserves it at all times. Nor do your Committee think that such a provision would meet the wishes of even the Quakers themselves—for if they "conscientiously scruple" to bear arms, or pay fines, in time of peace, they will certainly "scruple" in time of war to pay "an equivalent for personal services." Besides, your Committee would not recommend such a provision, because, in a great national extremity, no amount of money can be equal to the personal services of men—and it would be rating the services and blood of the soldier by an unworthy and degrading standard, to regulate their worth by the Quaker's equivalent—*dollars and cents.* Under this view of the case, your Committee deem it but justice to all parties, and deem it the best public policy, to protect all men alike in the enjoyment of their constitutional privileges, and to compel all men alike to the performance of all the duties they owe to the laws and to their country,—or, in other words, your Committee would recommend that no distinction be made among our citizens, nor any special privileges granted to one class over another—and that the Quakers be given to understand, that, like all other citizens, they must obey the laws of the country, both in peace and in war.

Your Committee now ask to be discharged from the further consideration of the subject, and beg leave to present for adoption the following resolution:

Resolved, That it is inexpedient to take any legislative action on that part of the Governor's message which relates to exempting Quakers from military service on account of their conscientious scruples against bearing arms.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act authorizing Rachael Holcomb, administratrix of the estate of Milo Holcomb, deceased, to sell certain real estate; also, An act to legalize certain acts of the board of Commissioners of Clinton county.

The Speaker then signed the above entitled acts.

Mr. Hepner also reported, that said Committee had presented to his Excellency, the Governor, for his approval, on the 21st inst.,

An act defining a lawful fence, and providing against trespassing animals."

No. 62, H. R. File, "A bill for an act to amend an act concerning Costs and Fees," being the order of the day, was taken up, and,

On motion,

The further consideration of the same was postponed until Monday next.

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute," was read a second time.

On motion of Mr. Porter,

Ordered, That the said bill do lie upon the table, and be printed.

No. 56, H. R. File, "A bill to authorize Joseph Stephens to build a Dam across Skunk river," was read a second time.

A motion was made by Mr. Hepner, to amend the last section of said bill, by inserting, after the word "amend," the words "or repeal."

To which the House agreed.

A motion was made by Mr. Wilson, that said bill be engrossed for a third reading on to-morrow.

And the question being put—was determined in the affirmative.

Yeas 21, Nays 5.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Grant, Hebard, Higginson, Holliday, Leffler, McCulloch, Patterson, Porter, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were—Messrs. Felkner, Hepner, Morgan, Moss, and Weld.

So the bill was ordered to be engrossed for a third reading on to-morrow.

No. 64, H. R. File, "A bill for an act to amend an act, entitled 'An act to authorize John Wilson to keep a Ferry across the Mississippi river, at the town of Davenport;" was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Baker reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

On motion of Mr. Grant,

Ordered, That said bill be engrossed, and read a third time on Monday next.

No. 65, H. R. File, "A bill for an act to legalize the location of a certain Territorial Road, in Washington county," was read a second time.

On motion of Mr. Baker,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

No. 66, H. R. File, "Memorial to Congress for the establishment of a National Armory at Rock Island, and for other purposes;"

Was read a second time.

On motion of Mr. Booth,

Ordered, That said Memorial be referred to the Committee on Memorials.

No. 67, H. R. File, "A bill for an act to legalize the location of certain Territorial Roads therein named," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill be engrossed, and read a third time on Monday next.

No. 68, H. R. File, "A Joint Resolution, relative to the printing,"

Was read a second time.

On motion of Mr. Quinton,

Ordered, That said resolution be engrossed, and read a third time on Monday next.

No. 70, H. R. File, "A bill for an act to amend an act entitled An act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and regulate their proceedings," approved January 21, 1839; was read a second time.

On motion of Mr. Baker,

Ordered, That said bill be engrossed, and read a third time on Monday next.

No. 72, H. R. File, "A bill to provide for opening and improving the National Road," was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill be referred to the Committee on Roads and Highways.

No. 74, H. R. File, "Joint Resolution, requesting our Delegate to use his influence to have mails carried on board of Steam Boats, from St. Louis to Keokuk," was read a second time.

On motion of Mr. Patterson,

Ordered, That the 44th rule be suspended, and the resolution be read a third time now.

The Resolution was then read a third time, passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 9, C. F. "Preamble and Resolution, in relation to the southern boundary line;" was read a second time.

Ordered, That said Preamble and Resolution be read a third time on Monday next.

No. 55, C. F. "A bill to incorporate the Washington Manufactoring Company," was read a second time.

A motion was made by Mr. Patterson, to refer said bill to a Committee of the whole House.

The motion was lost.

On motion of Mr. Weld,

Ordered, That said bill do lie upon the table until Tuesday next.

No. 58, C. F., "A bill to authorize the County Commissioners of Van Buren county, to grant a license to Jesse Wright and Henry Bateman, to keep a Ferry across the Des Moines river, at Watertown;"

Was read a second time.

On motion of Mr Whitaker,

Ordered, That said bill be read a third time on Tuesday next.

No. 60, C. F. "A Joint Resolution, providing for the distribution of the Reports of the Supreme Courts," was read a second time.

On motion of Mr. Weld,

Ordered, That said resolution be read a third time on Tuesday next.

No. 52, H. R. File, "A bill, making the Clerk of the board of County Commissioners elective by the people," was read a second time.

On motion of Mr. Quinton,

Ordered, That said bill do lie upon the table until Friday next.

No. 46, C. F., "A Joint Resolution, authorizing the Secretary to pay George C. Robbins for furnishing Seals for the District Courts of Linn and Jones counties," was read a first time.

No. 72, C. F., "A Joint Resolution, authorizing an investigation, by a Joint Committee of the Council and House of Representatives, of the Miners' Bank of Dubuque," was read a first time.

On motion of Mr. Leffler,

Ordered, That the 44th rule be suspended, and the resolution be read a second time now.

The resolution was then read a second time, and a motion was made by Mr. Grant, that the same be indefinitely postponed.

And the question being put—was determined in the negative:

Yeas 8, Nays 17.

Mr. Booth being excused from voting.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Biggs, Blair, Felkner, Grant, Holliday, Weld, and Whitaker.

Those who voted in the negative were Messrs. Campbell, Denson, Hebard, Hepner, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

So the motion to postpone indefinitely, was lost.

A motion was made by Mr. Grant, to amend the said resolution, by inserting the following as a substitute:

"Resolved, That the President and Cashier of the Miners' Bank of Dubuque, be requested to communicate to the Legislative Assembly of this Territory, a statement, under oath or affirmation, of the condition of said Bank, as required by the seventh section of the act incorporating the same.

And the question being put—was determined in thenegative.

A motion was made by Mr. Leffler, that the 44th rule be suspended, and the resolution be read a third time now.

And the question being put,

Was determined in the negative—Yeas 16, Nays 9.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Baker, Hebard, Hepner, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Campbell, Denson, Felkner, Grant, Holliday, Weld, and Whitaker.

Two-thirds not voting therefor, the motion to suspend the rule was lost.

A motion was made by Mr. Leffler, that said resolution be read a third time on Monday next.

The motion was lost.

A motion was made by Mr. Hepner, that said resolution be read a third time on to-morrow.

And the question being put—was determined in the negative.

On motion of Mr. Toole,

The House adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

No. 72, C. F. "A Joint Resolution, authorizing an investigation of the Miners' Bank of Dubuque," being under consideration,

A motion was made by Mr. Whitaker, to lay the same upon the table.

Pending which,

Mr. Robertson moved a call of the House, which was had, and the roll being called, those who failed to answer to their names, were, Messrs. Grant, Hebard, and Leffler.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time, the absentees appearing, the further call of the House was, on motion, suspended.

The question then being put, upon laying said resolution on the table, was determined in the negative.

A motion was made by Mr. Baker, that said resolution be laid upon the table until Friday next.

The motion was lost.

A motion was then made by Mr. Baker, that said resolution do lie upon the table until the 18th day of February.

And the question being put—was determined in the affirmative.

Mr. Whitaker gave notice, that he would, on some day hereafter, introduce "A bill, to compell the Miners' Bank of Dubuque to resume specie payment.

No. 9, H. R. File, "A bill to incorporate the Town of Mount Pleasant," being returned from the Council with amendments was taken up, the same read and concurred in by the House.

No. 76, H R. File, "A bill for an act to incorporate the town of Davenport," was read a third time, passed, and the title agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

A motion was made by Mr. Moss, to take from the table the report of the Territorial Treasurer:

To which the House agreed.

A motion was then made by Mr. Moss, that the said report be referred to a Select Committee.

The motion was lost.

On motion of Mr. Grant,

Ordered, That said report be referred to the Committee on Territorial Affairs.

A motion was made by Mr. Biggs, that the House do now adjourn until Monday morning next.

And the question being put—was determined in the affirmative.

Yeas 19, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Higginson, Leffler, McCulloch, Morgan, Porter, Quinton, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Grant, Hepner, Holliday, Moss, Patterson, Weld, and Wilson.

So the House adjourned until Monday morning next.

Monday Morning, January 24, 1842.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed

No. 28, H. R. File, "A bill for an act to amend an act, organizing a Board of County Commissioners in each county," with amendments.

No. 64, C. F. "A bill for an act amending an act regulating Weights and Measures."

No. 38, C. F. "A bill to amend an act, for opening and regulating Roads and Highways," approved Jan. 17, 1840.

No. 56, C. F. "A bill for an act to amend an act, entitled An act for benefit of settlers, &c., on the Half-Breed Land."

In which they ask the concurrence of the House of Representatives.

The Council have indefinitely postponed No. 50, H. R. File. "A Memorial to the Secretary of the Treasury of the United States, in relation to the two Townships of land granted to the Territory for a University.

I herewith present for your signature,

An act to legalize the location of a Territorial Road in Henry county;

A Joint Resolution, instructing our Delegate in Congress to use his influence in procuring a confirmation, or a re-survey, of the present northern boundary line of the Half-Breed Sac and Fox Reservation, in Lee county."

And then he withdrew.

The Speaker then signed the above Act and Resolution.

Mr. Robertson presented the petition of Sarah Wilson, praying the Legislature to pass a law to divorce her from her husband John Wilson.

On motion of Mr. Robertson,

Ordered, That the said petition be referred to a Select Committee,

Whereupon, The Speaker appointed Messrs. Robertson, Felkner, and Leffler, said Committee.

Mr. Felkner presented the petition of Sarah Connelley, praying to be divorced from her husband, William Connelley."

Ordered, That the said petition be referred to a Select Committee. Whereupon, Messrs. Felkner, Moss, and Holliday, were appointed said Committee.

Mr. Weld gave notice, that on to-morrow, or some day hereafter, he would introduce a bill, to provide that farmers shall hold a certain quantity of land exempt from execution.

Mr. Wilson gave notice, that he would, on some day hereafter, introduce a bill relative to Locks in Mill Dams across the navigable streams in this Territory.

Mr. Morgan from the Committee on Engrossed Bills, reported Nos. 55, 64, 65, 67, 68, and 70, H. R. File, as correctly engrossed.

Mr- Biggs, from the Select Committee, to which was referred so much of the Governor's message as related to the improvement of the Rapids in the Mississippi river, reported

No. 78, H. R. File, "A Memorial to Congress, for an appropriation for the improvement of the Rapids in the Mississippi river," which was read a first time.

Mr. Whitaker, in accordance with previous notice, introduced

No. 79, H. R. File, "A bill for an act to compel the Miners' Bank of Dubuque to resume specie payment," which was read a first time.

Mr. Toole, in accordance with previous notice, introduced

No. 80, H. R. File, "A Memorial to Congress, asking for the survey of the route of the Iowa River Canal," which was read a first time.

On motion of Mr. Hebard,

Ordered, That the printing of said Memorial be dispensed with.

Mr. Biggs, in accordance with previous notice, introduced No. 81, H. R. File, ',An act for the relief of the Poor."

Mr. Biggs, also in accordance with previous notice, introduced No. 82, H. R. File, "A Bill to authorize the establishment of poor Houses.

The said Bills were severally read a first time.

Mr. Denson, in accordance with previous notice, introduced No. 83, H. R. File, "A Bill to locate and establish a Territorial Road from Marion in Linn county, to the Indian boundary, in Benton County," which was read a first time.

A motion was made by Mr. Quinton to dispense with the printing of said Bill.

The motion was lost,

No. 62, H. R. File, "A bill for an act to amend an act concerning Costs and Fees," being the order of the day was committed to a Committee of the Whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Wilson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

To which the House agreed.

On motion of Mr. Toole,

Ordered, That the said bill be referred to a Select Committee to be composed of one member from each electoral district,

Whereupon, the Speaker appointed Messrs. Toole, Campbell, Biggs, Hepner, Smead, Felkner, Denson, Robertson, Moss, and Quinton, said Committee.

No. 63, H. R. File, "A bill for an act defining the Jurisdiction of the Supreme and District Courts," was read a second time.

On motion of Mr. Patterson,

Ordered, That the said bill be engrossed and read a third time on to-morrow.

No. 69, H. R. File, "A bill to authorize persons to remove fences made by mistake on the land of other persons," was read a second time.

On motion of Mr. Toole,

Ordered, That the said bill be referred to the Committee on the Judiciary.

No. 71, H. R. File, "A bill for an act to amend an act subjecting Real and personal estate to execution," was read a second time.

On motion of Mr. Weld,

Ordered, That the consideration of said bill be made the order of the day for Friday next.

No. 73, H. R. File, "A bill creating a permanent school fund and for other purposes," was read a second time.

On motion of Mr. Leffler,

The said bill was committed to a Committee of the Whole House for the consideration of the same. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Biggs reported, that the Committee had, according to order, had said bill under consideration, and had instructed him to report the same with sundry amendments.

To which the House agreed.

On motion of Mr. Leffler,

Ordered, That said bill be recommitted to the Judiciary Committee.

On motion of Mr. Morgan,

The House adjourned until 2 o'clock P. M.

2 O'CLOCK, P. M.

No. 75, H. R. File, "A Joint Resolution to admission into the Union," was read a second time.

On motion of Mr. Toole,

Ordered, That the said Resolution be engrossed and read a third time on to-morrow.

No. 46, C. F. "A Joint Resolution, authorizing the Secretary to pay George C. Robbins for furnishing Seals for the District Courts of Linn and Jones Counties," was read a second time.

On motion of Mr. Felkner,

Ordered, That the said resolution be read a third time on to-morrow.

No. 9, C. F. "Preamble and Resolution, in relation to the Southern Boundary Line of this Territory," was read a third time, and passed.

Ordered. That the Clerk acquaint the Council therewith.

No. 55, H. R. File, "A bill to authorize Joseph Stevens to build a Dam across Skunk river," was read a third time.

And the question being put, Shall the bill pass?

Was determined in the affirmative.—Yeas 14, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Hebard, Holliday, Leffler, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Blair, Denson, Felkner, Hepner, Morgan, Moss, Patterson, and Weld.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 64, H. R. File, "A bill for an act to amend an act, entitled An act to authorize John Wilson to keep a Ferry across the Mississippi river, at the town of Davenport," was read a third time.

On motion of Mr. Robertson,

Ordered, That said bill do lie upon the table.

Bills, &c. of the following titles, to wit:

No. 65, H. R. File, "A bill for an act to legalize the location of a certain Territorial Road in Washington county."

No. 67, H. R. File, "A bill for an act to legalize the location of certain Territorial Roads therein named."

No. 68, H. R. File, "A Joint Resolution, relative to the public printing."

No. 70, H. R File, "A bill for an act to amend an act entitled An act to provide for the appointing of Justices of the Peace; to prescribe their powers and duties, and regulate their proceedings,"

Were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk request the concurrence of the Council therein.

No. 28, H. R. File, "A bill, for an act to amend an act, organizing a Board of County Commissioners in each county," being returned from the Council with amendments, was taken up, and the same being read, the first amendment was disagreed to, and the second concurred in by the House.

Bills from the Council of the following titles, to wit:

No. 38, "A bill to amend an act entitled An act for opening and regulating Roads and Highways," approved Jan. 17, 1840.

No. 56, "A bill for an act to amend an act entitled An act for the benefit of settlers, &c., on the Half-Breed Lands.

No. 64, "A bill for an act amending an act regulating Weights and Measures,"

Were severally read a first time.

A Message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed

No. 12, H. R. File, "An act to district the county of Jackson into three Commissioners' Districts."

No. 51, H. R. File, "A bill for an act to incorporate a College at Washington, in Washington County."

No. 59, H. R. File, "A bill to locate and establish a Territorial Road from Richmond, in Washington county, to intersect a Road from Iowa City to the county line of Washington county,"

Also, with amendments,

No. 46, H. R. File, "A bill to authorize Thomas S. Parkes to keep a ferry across the Mississippi River."

The Council have also passed No. 2, C. F. "A bill establishing a Territorial Road from Moscow towards Iowa City."

No. 44, C. F. "A bill to relocate a certain part of a Territorial Road, running from Burlington to the mouth of the Desmoines River."

No. 68, C. F. "A bill for an act to establish a Territorial Road from Keosauqua to the Southern boundary of the Territory," and

No. 71, C. F. "A bill for an act amending an act defining the duties of supervisors of Roads and Highways."

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

Bills from the Council of the following titles, to wit:

No. 2. "A bill establishing a Territorial Road from Moscow towards Iowa City."

No. 44, "A bill to relocate a certain part of the Territorial Road from Burlington to the mouth of the Desmoines River."

No. 68, "A bill for an act to establish a Territorial Road from Keosauqua to the Southern boundary of the Territory."

No. 71, "A bill for an act amending an act defining the duties of Supervisors of Roads and Highways," were severally read a first time.

No. 46, H. R. File, "A bill to authorize Thomas S. Parkes to keep a ferry across the Mississippi River," being returned from the Council with amendments was taken up, the same read, and concurred in by the House.

A motion was made by Mr. Robertson to take from the table No. 43, H. R. File, "A bill to amend an act districting the Territory into electoral districts,"

To which the House agreed.

On motion of Mr. Robertson,

Ordered, That said bill be engrossed and read a third time on tomorrow.

Mr. Hepner, from the Committee on Enrollments, reported that they had presented to his Fxcellency, the Governor, for his approval this day

An act to authorize Rachael Holcomb, Administratrix of the estate of Milo Holcomb, *Deceased*, to sell certain Real estate," also

An act to legalize certain acts of the Board of Commissioners of Clinton County."

Mr. Hepner, from the same Committee, reported as correctly enrolled,

"An act to Divorce Sarah East from her husband, Hardman E. W. East."

"An act to Incorporate the Town of Mount Pleasant," also

"An act to authorize Jason Wilson to erect a Dam across Skunk River, in Lee County."

The Speaker then signed said entitled Acts.

Mr. Biggs gave notice that on to-morrow he would offer an amendment to the standing Rules of this House, to prevent the use of this Hall for Public Worship, for the remainder of the Session.

On motion of Mr. Moss,

The House adjourned.

Tuesday Morning, January 25, 1842.

Mr. McCulloch presented the petition of seven hundred and forty citizens of Lee county, praying the Legislature to pass a law, authorizing a re-location of the Seat of Justice of said county, by disinterested Commissioners.

On motion of Mr. Weld,

Ordered, That the said petition be referred to a Select Committee, to be composed of the delegation from Lee county.

Mr. Felkner offered the following:

Resolved, That the Universalist Society of Iowa City be permitted to occupy this Hall on next Sabbath, and on each alternate Sabbath thereafter during the present session of the Legislature.

A motion was made by Mr. Patterson, that the same do lie upon the table.

The motion was lost.

A motion was made by Mr. Biggs, to amend the resolution by the addition of the following: "and that the Methodist Church be permitted to occupy the same each other alternate Sabbath."

Which being accepted by Mr. Felkner, the question recurred on the original resolution, as amended.

Pending which,

Mr. Hepner offered the following as a substitute:

Whereas, a difficulty and dispute have arisen between those to whom the free use of this House was extended during the Sundays of the session, therefore

Resolved, That no persons whatever, other than members and officers of this House, shall hereafter occupy the same during the recess of any adjournment.

The question then being on the adoption of the substitute.

And being put,

Was determined in the affirmative—Yeas 13, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Hepner, Holliday, Morgan, Moss, Robertson, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Felkner, Hebard, Higginson, McCulloch, Patterson, Porter, Quinton, Smead, Toole, and Wilson.

So the substitute was adopted.

Mr. Hebard asked leave of absence for Messrs. Grant and Leffler, for a few days, who have been necessarily called home.

Leave was granted.

Mr. Robertson gave notice, that he would, on to-morrow, or some day hereafter, introduce a bill to authorize Harman G. Reynolds to keep a Ferry across the Mississippi river, in Scott county.

Mr. Campbell gave notice, that he would, on some future day, introduce a bill for an act to review and re-establish a part of the Territorial Road from Keokuk, in Lee county, to Iowaville, on the Des Moines river.

Mr. Robertson, from the Select Committee, to which the subject was referred, reported No. 84, H. R. File, "A bill to divorce Sarah Wilson from her husband John Wilson," which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, to which was referred No. 58, H. R. File, "A bill to re-locate and establish a Territorial Road, from Davenport to Dubuque," reported No. 85, H. R. File, as a substitute for the same, which was read a first time.

A motion was made by Mr. Toole, that the printing of the above bills be dispensed with.

And the question being put—was determined in the negative.

Yeas 12, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Hebard, Higginson, Moss, Patterson, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

Those who voted in the negative were—Messrs. Baker, Booth, Campbell, Denson Felkner, Hepner, Holliday, McCulloch, Morgan, Quinton, Weld, and Lewis, Speaker.

So the motion to dispense with the printing of said bills was lost.

Mr. Felkner, from the Select Committee, to which the subject was referred reported No. 86, H. R. File, "A bill for an act to divorce Sarah Connelly from her husband William Connelly,"

Which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, reported No. 87, H. R. File, "A bill entitled an act establishing a Territorial Road from Denson's Ferry, on the Wapesipenicon, towards Dubuque," which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, to which was referred No. 72, H. R. File, "A bill to provide for opening and improving the National Road," reported the same back to the House without amendment.

A motion was made by Mr. Toole, that the printing of the three last bills introduced, be dispensed with.

And the question being put—was determined in the affirmative.

Yeas 15, Nays 9.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Blair, Biggs, Felkner, Hebard, Higginson, Holliday, Moss, Patterson, Porter, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Morgan, Quinton, and Weld.

So the printing of said bills was dispensed with.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to locate and establish a Territorial Road, from Richmond, in Washington county, to intersect a road from Iowa City to the county line of Washington county, and,

An act to authorize Thomas S. Parkes to keep a Ferry across the Mississippi river."

The Speaker then signed said entitled acts.

Mr. Hepner, from the Committee on Public Buildings, reported

No. 88, H. R File, "A bill to provide for the appointment of an acting Commissioner at Iowa City, defining his duties, and for other purposes," which was read a first time.

Mr. Baker, from the Select Committee, to which the subject was referred, reported No. 89, H. R. File, "A bill for an act to authorize William Pickerel and others, to construct, keep, and maintain a Dam across Skunk river," which was read a first time.

Mr. Weld, in accordance with previous notice, introduced No. 90, H. R. File, "A bill for an act supplementary to an act, subjecting Real and Personal Estate to execution," which was read a first time.

Mr. Hepner, from the Committee on Public Buildings, reported

No. 91, H. R. File, "A Joint Resolution, relative to the claim of James F. Hanby," which was read a first time.

No. 2, C. F. "A bill, establishing a Territorial Road from Moscow towards Iowa City," was read a second time.

On motion of Mr. Felkner,

Ordered, That said bill be referred to a Select Committee.

Messrs. Felkner, Wilson, and Denson, were appointed said Committee.

No. 38, C. F. "A bill to amend an act entitled An act for opening and regulating Roads and Highways, approved Jan. 17, 1840," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill be referred to the Committee on Roads and Highways.

No. 44, C. F. "A bill to re-locate a certain part of the Territorial Road, running from Burlington to the mouth of the Des Moines river," was read a second time.

A motion was made by Mr. Campbell, to amend said bill by striking out the name "L. B. Fleak," and inserting "Wm. Long."

To which the House agreed.

On motion of Mr. Campbell,

Ordered, That said bill be read a third time on to-morrow.

No. 56, C. F. "A bill for an act to amend an act entitled An act for the benefit of the settlers, &c., on the Half-Breed Lands."

Ordered, That said bill be read a third time on to-morrow.

No. 64, C. F. "A bill for an act amending an act, regulating Weights and Measures,' was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill. After some time spent therein,

Mr. Speaker resumed the Chair and Mr. Booth reported that the Committee had, according to order, had said Bill under consideration and instructed him to report the same without amendment.

On motion of Mr. Robertson,

Ordered, That said bill be read a third time on to-morrow.

No. 68, C. F. "A bill for an act to establish a Territorial Road, from Keosauque to the southern boundary of the Territory,"

Was read a second time.

On motion of Mr. Weld,

Ordered, That said bill be read a third time on to-morrow.

No. 71, C. F. "A bill for an act amending an act, defining the duties of Supervisors of Roads and Highways," was read a second time.

On motion of Mr. Quinton,

Ordered, That said bill be read a third time on to-morrow.

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute," was read a second time.

On motion of Mr. Quinton,

The bill was committed to a Committee of the whole House for the consideration of the same. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Denson reported that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

A motion was made by Mr. Baker, to amend said bill by striking out in the second section the words "26th day of February," and inserting the words "first Monday in April."

To which the House agreed.

A motion was made by Mr. Porter, to strike out the tenth section of said bill, and insert the following as a substitute, to wit:

That said Institution shall be under the charge of the Methodist Episcopal Church, but there shall be no religious test for the admission of students to said Institute.

And the question being put,

Was determined in the negative—Yeas 12, Nays 12.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Blair, Booth, Hebard, Higginson, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were Messrs. Baker, Biggs, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Quinton Weld, and Whitaker.

So the motion to amend was lost.

A motion was made by Mr. Porter, that said bill do lie upon the table, subject to the order of the House.

And the question being put—was determined in the negative.

A motion was then made by Mr. Porter, that said bill be re-committed to the Committee on the Judiciary.

The motion was lost.

A motion was made by Mr. Porter, that the House do now adjourn.

And the question being put—was determined in the negative.

A motion was then made by Mr. Porter, that said bill do lie upon the table until Monday next.

To which the House agreed.

On motion of Mr. Patterson,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

A message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have passed, with amendments,

No. 47, H. R. File, "A bill to authorize Robert M. G. Patterson to establish and keep a Ferry across the Mississippi river at the mouth of the Nassau Slough."

No. 39, H. R. File, "A Memorial to Congress for the location of Mail Routes in Iowa Territory."

No. 20, H. R. File, "A bill for an act supplementary to an act entitled An act to authorize evidence by the oath of parties."

The Council have agreed to the amendments made by the House of Representatives to No. 9, C. F., and insist upon their amendment to No. 28, H. R. File, as disagreed to by the House.

They have passed, without amendment,

No. 74, H. R. File, "A Joint Resolution, requesting our Delegate to use his influence to have mails carried on board of steam boats from St. Louis to Keokuk.

And have also passed,

No. 35, C. F. "A bill to prevent trespass upon lands.

No. 67, C. F. "A bill to revive an act to incorporate Iowa City, and for other purposes," and

No. 69, C. F. "A bill to incorporate the Iowa Lodge, at Bloomington."

In which they ask the concurrence of the H. of Representatives.

And then he withdrew.

No. 77, H. R. File, "A bill for an act for the encouragement of Agriculture," was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be laid upon the table until Friday next.

No. 79, H. R. File, "A bill for an act to compel the Miners' Bank of Dubuque to resume specie payment;" was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hebard reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

On motion of Mr. Hepner,

Ordered, That the said bill do lie upon the table until Monday next.

No. 80, H. R. File, "A Memorial to Congress asking for the survey of the route of the Iowa River Canal," was read a second time.

On motion of Mr. Toole,

Ordered, That said Memorial be referred to the Committee on Memorials.

No. 83, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the Indian boundary, in Benton county," was read a second time.

On motion of Mr. Denson,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 46, C. F. "A Joint Resolution authorizing the Secretary to pay George C. Robbins for furnishing seals for the District Courts of Linn and Jones counties," was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 55, C. F. "A bill to incorporate the Washington Manufactoring Company," was read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 18, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Booth, Denson, Hebard, Hepner, Higginson, Holliday, McCulloch, Quinton, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Campbell, Felkner, Morgan, Moss, Patterson, and Weld.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council of the passage of said bill.

No. 58, C. F. "A bill to authorize the County Commissioners of Van Buren county to grant a license to Jesse Wright and Henry Bateman to keep a Ferry across the Des Moines river at Watertown."

No. 60, C. F., "A Joint Resolution providing for the distribution of the reports of the Supreme Court."

No. 43, H. R. File, "A Bill to amend an act to district the Territory of Iowa into electoral districts."

No. 63, H. R. File, "A bill for an act defining the jurisdiction of the Supreme and District Courts."

No. 75, H. R. File, "A Joint Resolution, relative to admission into the Union;"

Were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 47, H. R. File, "An act to authorize Robert M. G. Patterson to establish and keep a Ferry across the Mississippi river, at the mouth of the Nassau Slough," being returned from the Council with amendments, was taken up, the same read and severally concurred in by the House.

No. 39, H. R. File, "Memorial to Congress, for the location of mail routes in Iowa Territory," being returned from the Council with sundry amendments attached thereto, and being under consideration,

A motion was made by Mr. Biggs, that said Memorial, together witth the amendments, do lie upon the table until Thursday next.

To which the House agreed.

No. 20, H. R. File, "A bill for an act supplementary to an act entitled An act to authorize evidence by the oath of parties," being returned from the Council with amendments, was taken up, the same read, and concurred in.

No. 28, H. R. File, "A bill for an act to amend an act organizing a board of County Commissioners in each county," being returned from the Council with their amendment insisted upon, and being under consideration,

A motion was made by Mr. Biggs, that the House do insist upon their disagreement to the same.

To which the House agreed.

Bills from the Council of the following titles, to wit:

No. 35, "A bill to prevent trespass upon lands;"

No. 67, "A bill to revive an act to incorporate Iowa City, and for other purposes;"

No. 69, "A bill to incorporate the Iowa Lodge, at Bloomington;"

Were severally read a first time.

Mr. Quinton gave notice that he would, on some day hereafter, introduce a bill to amend the law in relation to Mortgages.

Mr. Hepner, from the Committee on Enrollments, reported, that they had presented to his Excellency, the Governor, for his approval, on this day, "An act to incorporate the town of Mount Pleasant;"

"An act to divorce Sarah East from her husband Hardman E. W. East;"

"An act to authorize Jason Wilson to erect a Dam across Skunk river, in Lee county;"

"A Joint Resolution, instructing our Delegate in Congress to use his influence in procuring a confirmation or a re-survey of the present northern boundary line of the Half-Breed Sac and Fox Reservation;" and,

"An act to legalize the location of a Territorial Road, in Henry county."

On motion of Mr. Hebard,

The House adjourned.

Wednesday Morning, January 26, 1842.

Mr. Porter presented the remonstrance of three hundred and forty citizens of Henry County, remonstrating against any action of the Legislature in relation to the present Law concerning Blacks and Mulattoes.

On motion of Mr. Porter,

Ordered, That the petition on the same subject, presented on some previous day from sundry citizens of the same county be taken from the table, and together with said remonstrance be referred to the Judiciary Committee.

On motion of Mr. Quinton,

Ordered, That the petition on the same subject from sundry citizens of Jefferson county be taken from the table and also referred to the same Committee.

Mr. Patterson presented the petition of sundry citizens of Lee county in relation to the Territorial Road running from West Point to Farmington.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Quinton offerred the following:

Resolved, That the Committee on Memorials be and are hereby instructed to report to this House on to-morrow the following Memorials to wit:

A Memorial to Congress for the establishment of a Land Office at Fairfield, in Jefferson County, and

A Memorial to Congress for the establishment of a Land Office at Marion in Linn county," and also

A Memorial to Congress for the establishment of a Land Office at Iowa City."

And the question being put,

Will the House adopt the Resolution?

It was determined in the negative,

Yeas 5, Nays 19.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Denson, Felkner, Higginson, Quinton, and Wilson.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Booth, Campbell, Hebard, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

So the Resolution was lost.

Mr. Porter, from the Committee on Military Affairs, reported No. 92, H. R. File, "A bill amendatory of an act entitled "an act to organize discipline and govern the Militia of this Territory," which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways to which was referred No. 38, C. F. "A bill to amend an act entitled an act for opening and regulating Roads and Highways," reported the same back to the House with an amendment.

Mr. Hepner, from the Committee on Enrollments reported as correctly enrolled "A Joint Resolution requesting our Delegate in Congress to use his influence to have mails carried on Steamboats from St. Louis to Keokuk.

"An act to authorize Robert M. G. Patterson to keep a ferry across the Mississippi River, at the mouth of the Nassau Slough."

"An act to district the county of Jackson into three Commissioners districts."

"An act supplementary to an act entitled "an act to authorize evidence by oath of parties," also

"An act to incorporate a College at Washington, in Washington county."

The Speaker then signed the above entitled acts and Resolution.

Mr. Campbell, in accordance with previous notice, introduced No. 93, H. R. File, "A bill for an act to review and re-establish a part of the Territorial Road from Keokuk, in Lee county, to Iowaville, on the Des Moines river;" which was read a first time.

A motion was made by Mr. Robertson, to dispense with the printing of said bill.

The motion was lost.

No. 35, C. F. "A bill to prevent trespass upon lands," was read a second time.

A motion was made by Mr. Hepner, to refer said bill to the Committee on the Judiciary. The motion was lost.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

The House concurred in the report.

A motion was made by Mr. Biggs, to strike out the enacting clause of said bill. Pending which,

A motion was made by Mr. Hepner, that said bill do lie upon the table.

And the question being put—was determined in the negative.

The question was then put, on striking out the enacting clause of the same, und determined in the affirmative. So the bill was lost.

No. 67, C. F. "A bill to revive an act to incorporate Iowa City, and for other purposes," was read a second time.

A motion was made by Mr. Weld, that said bill do lie upon the table.

The motion was lost.

On motion of Mr. Felkner,

Ordered, That said bill be read a third time on to-morrow.

No. 69, C. F. "A bill to incorporate the Iowa Lodge, at Bloomington," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill be referred to the Committee on the Judiciary

No. 72, H. R. File, "A bill to provide for opening and improving the National Road;" was read a second time.

On motion of Mr. Denson,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

No. 78, H. R. File, "A Memorial to Congress for an appropriation to improve the Rapids on the Mississippi river," was read a second time.

On motion of Mr. Moss,

Ordered, That said Memorial be engrossed for a third reading on to-morrow.

No. 81, H. R. File, "A bill for an act for the relief of the Poor," was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hebard reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

To which the House agreed.

A motion was made by Mr. Porter, to strike out the second section of said bill, which reads as follows, to wit:

"That nothing in this act shall be so construed as to enable any black or mulatto person to gain a legal settlement in this Territory."

And the question being put—was determined in the negative.

Yeas 3, Nays 20.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Patterson, Porter, and Wilson.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, Holliday, McCulloch, Moss, Quinton, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

So the motion to strike out the 2nd such was lost.

On motion of Mr. Biggs,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

No. 82, H. R. File, "A bill for an act to authorize the establishment of Poor Houses," was read a second time.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the whole House for the consideration of said bill, After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

The report was concurred in.

On motion of Mr. Patterson,

The House adjourned.

Thursday Morning, January 27, 1842.

Mr. Morgan presented the petition of John Lorton, of Des Moines county, praying remuneration for services rendered under a commission from the Governor of the Territory, in pursuit of a fugitive from justice.

Ordered, That the said petition be referred to the Committee on Claims.

Mr. Grant presented the petition of sundry citizens of Clinton county, asking a charter to be granted to John R. Sloan, to keep a Ferry across the Mississippi river, at Camanche, in said county.

Ordered, That the said petition be referred to the Committee on Incorporations.

Mr. Holliday presented the petition of sundry citizens of Louisa, Johnson, and Muscatine counties, asking the establishment of a certain Territorial Road, within said counties.

On motion of Mr. Toole,

Ordered, That said petition be referred to the Delegations from the counties of Louisa, Johnson, and Muscatine.

On motion of Mr. Felkner,

Resolved, That the Committee on Public Instruction be requested to enquire into the expediency of so amending the School Law, as to provide for the organization of School Districts, in counties where Townships are not organized.

Mr. Hepner, on leave, reported, No. 94, H. R. File, "A Joint Resolution, relative to the law regulating Marriages," which was read a first time.

A motion was made by Mr. Biggs, that resolution be rejected.

And the question being put—was determined in the affirmative.

Yeas 13, Nays 11.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Booth, Grant, Hebard, Higginson, McCulloch, Patterson, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Campbell, Denson, Felkner, Hepner, Holliday, Morgan, Moss, Weld, Whitaker, and Lewis, Speaker.

So the resolution was rejected.

On motion of Mr. Biggs,

Leave of absence was granted to Mr. Quinton until Monday next.

Mr. Booth, from the Committee on Territorial Affairs, to which was referred that portion of the Governor's Message relative to the formation of a State Government; and also, to which was referred a bill for an act upon the same subject, early in the present session, reported, that they have given the same due consideration, and beg leave to report the following entitled bill:

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa, upon the subject of the formation of a Constitution and State Government, and to enable them to form a Constitution for the State of Iowa," as a substitute for the one referred; which was read a first time.

Mr. McCulloch, from the Select Committee, to which was referred certain petitions, reported No. 96, H. R. File, "A bill to re-locate the county seat of Lee county," which was read a first time.

Mr. Felkner, from the Select Committee, to which the subject was referred, reported No. 97, H. R. File, "A bill for an act to authorize the Agent of the Territory to sell certain reserves in Iowa City, and for other purposes," which was read a first time.

Mr. Morgan gave notice, that he would, on some future day, introduce "A Memorial to Congress, praying that the Organic Law may be so amended as to allow the people of this Territory to elect all officers of the Militia of this Territory, excepting Staff officers." Also,

"A Memorial to Congress, praying that the Organic Law may be so amended as to extend the Jurisdiction of Justices of the Peace within this Territory, to sums of one hundred dollars.

Mr. Hepner, from the Committee on Enrollments, reported, that they had presented to his Excellency, the Governor, for his approval, on the 26th inst.,

"An act to authorize Thomas S. Parkes to keep a Ferry across the Mississippi river," and,

"An act to locate and establish a Territorial Road from Richmond, in Washington county, to intersect a road from Iowa City, to the county line of Washington county."

Mr. Denson, on leave, reported No. 98, H. R. File, "A bill amendatory of an act subjecting Real and Personal Estate to execution;" which was read a first time.

No. 39, H. R. File, "A Memorial to Congress for the establishment of Mail Routes in the Territory," being the order of the day as returned from the Council with sundry amendments, was taken up, and being under consideration,

A motion was made by Mr. Hepner, that the House disagree to the amendments made by the Council.

To which the House agreed.

No. 38, C. F. "A bill to amend an act entitled An act for opening and regulating Roads and Highways," approved Jan. 17th, 1840," was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be read a third time on to-morrow.

No. 84, H. R. File, "A bill for an act to divorce Sarah Wilson from her husband John Wilson," was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

No. 85, H. R. File, "A bill for an act to locate certain Territorial Roads therein named," was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be referred to a Select Committee.

Whereupon, Messrs. Robertson, Hebard, and Moss, were appointed said Committee.

No. 86, H. R. File, "A bill for an act to divorce Sarah Connelley from her husband William Connelley," was read a second time.

On motion of Mr. Felkner,

Ordered, That said bill be read a third time on to-morrow.

No. 87, H. R. File, "An act entitled an act establishing a Territorial Road from Denson's Ferry, on the Wapesipenicon river, towards Dubuque," was read a second time.

On motion of Mr. Higginson,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

No. 88, H. R File, "A bill to provide for the appointment of an

Acting Commissioners at Iowa City, defining his duties, and for other purposes," was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same, and ask leave to sit again in the afternoon.

Leave was granted.

On motion of Mr. Hepner,

The House adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council adhere to their amendments made to No. 39, H. R. File, as disagreed to by the House of Representatives.

I herewith present for your signature, two enrolled bills and three Joint Resolutions.

And then he withdrew.

The Speaker then signed said bills and resolutions.

A call of the House being desired by five members, the roll was called, and those who failed to answer to their names were, Messrs. Baker, Hepner, Holliday, and Patterson.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time, a further call of the House was,

On motion,

Suspended.

The House then resumed, in Committee of the whole House, the consideration of No. 88, H. R. File, "A bill to provide for the appointment of an Acting Commissioner at Iowa City, defining his duties, and for other purposes." After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

The report was concurred in.

A motion was made by Mr. Porter, to amend said bill by striking out in the first section the words "shall be elected by joint ballot of both Houses of the Legislative Assembly," and inserting the following: "shall be appointed and commissioned by the Governor, by and with the advice and consent of the Council," so as to read—The Acting Commissioner shall be appointed, &c.

And the question being put,

Was determined in the negative—Yeas 11, Nays 13.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Biggs, Blair, Grant, Heb-ard, Higginson, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Weld, Whitaker, and Lewis, Speaker.

So the motion to amend was lost.

On motion of Mr. Booth,

The first section of said bill was amended by inserting the following after the word "Assembly," to wit: "who shall hold his office for the term of one year from the time of his election, and."

On motion of Mr. Felkner,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

No. 89, H. R. File, "A bill for an act to authorize William Pickerel and others, to construct, keep, and maintain a Dam across Skunk river," was read a second time.

A motion was made by Mr. Baker, that said bill be engrossed, and read a third on to-morrow.

And the question being put—was determined in the affirmative.

Yeas 15, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Grant, Higginson, Holliday, McCulloch, Porter, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis Speaker.

Those who voted in the negative were, Messrs. Blair, Denson, Felkner, Hebard, Hepner, Morgan, Moss, and Weld.

So the bill was ordered to be engrossed for a third reading on tomorrow.

No. 90, H. R. File, "A bill to provide for an act supplementary to an act, subjecting Real and Personal Estate to execution," was read a second time.

On motion of Mr. Weld,

The House resolved itself into a Committee of the whole House, for the consideration of said Bill. After some time spent therein,

Mr. Speaker resumed the Chair and Mr. Moss reported that the Committee had, according to order, had said Bill under consideration, and instructed him to report the same with amendments.

The report was concurred in.

A motion was made by Mr. Moss, to amend said bill, by the addition of the following section, to wit:

SEC. 3. That every person being the head of a family, who does or may reside in any city, town, or village, in this Territory, may hold, exempt from execution, one lot, with the necessary buildings thereon, for the accommodation of their family: *Provided*, always that all such persons shall actually reside upon said lot, and occupy the buildings thereon "

A motion was made by Mr. Weld to amend said amendment, by adding the following, to wit: "That the value of said property shall not exceed five hundred dollars."

Pending which,

A motion was made by Mr. Porter, that said bill be indefinitely postponed.

And the question being put—was determined in the negative.

Yeas 5, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Felkner, Grant, Hebard, Porter, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Biggs, Blair, Campbell, Denson, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

So the motion to postpone indefinitely was lost.

The motion was then put on the amendment to the amendment, as offered by Mr. Weld.

To which the House agreed.

The question then recurring on the amendment as amended, and being put—was determined in the affirmative.

A motion was made by Mr. Felkner, to refer said bill to the Committee on the Judiciary.

The motion was lost.

A motion was then made by Mr. Weld, that said bill be engrossed and read a third time on to-morrow.

Pending which,

A motion was made by Mr. Porter, to amend said bill further, by adding the following, to wit:

"And provided further, That a man shall not be compelled to pay his debts, if it don't suit him."

And the question being put on the same,

It was determined in the negative. Yeas 1, Nays 21.

The yeas and nays being desired by two members,

Mr. Porter voting in the affirmative.

Those who voted in the negative, were Messrs. Baker, Biggs, Blair, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

The question then recurred on the motion made to engross, and passed in the affirmative. Yeas 13, Nays 9.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Biggs, Campbell, Denson, Hepner, Higginson, Holliday, McCulloch, Robertson, Smead, Toole, Weld, and Whitaker.

Those who voted in the negative were, Messrs. Blair, Felkner, Grant, Hebard, Morgan, Moss, Porter, Wilson, and Lewis, Speaker.

So the bill was ordered to be engrossed for a third reading on tomorrow.

A motion was made by Mr. Morgan, that the House do now adjourn.

And the question being put—was determined in the affirmative.

Yeas 12, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Hebard, Hepner, Higginson, Holliday, McCulloch, Morgan, Porter, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Blair, Campbell. Denson, Felkner, Grant, Moss, Robertson, Weld, and Whitaker.

So the House adjourned.

Friday Morning, January 28, 1842.

Mr. Weld presented the petition of 50 citizens of Van Buren county, asking the repeal of the several Laws granting charters to certain individuals to build dams across the Desmoines River.

Ordered, That said petition do lie upon the table.

Mr. Biggs presented the petition of Nicey Hull, praying to be divorced from her husband Charles Cornelius Hull.

Ordered, That said petition be referred to the Delegation from Van Buren County.

On motion of Mr. Grant,

Mr. Weld was excused from sitting on said Committee.

Mr. Denson offered the following:

Resolved, That a Select Committee of three be appointed to take into consideration the amount of property that should be exempt from execution, and that the several Bills now pending before this House upon that subject be referred to said Committee, and that they report by bill or otherwise.

Mr. Hepner called for a division of said Resolution, upon which the question was put on the adoption of the first paragraph as follows, to wit:

"Resolved, That a Select Committee of three be appointed to take into consideration the amount of property that should be exempt from execution,"

Which was determined in the affirmative,

Yeas 13, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Blair, Booth, Denson, Felkner, Grant, Hebard, Hepner, McCulloch, Morgan, Patterson, Porter, Robertson, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Biggs, Campbell, Higginson, Holliday, Moss, Toole, Weld, and Whitaker.

So the first paragraph of said Resolution was agreed to.

The question then recurring on the adoption of the remaining paragraph, and being put, was determined in the negative.

The Speaker then appointed Messrs. Denson, Blair, and Holliday, said Committee, to act in compliance with the first paragraph of said Resolution.

On motion of Mr. Hebard,

Ordered, That the Committee on the Judiciary be instructed to enquire into the expediency of altering the act fixing the time for the annual meeting of the Legislative Assembly, so that it may meet on the first Monday of January, and avoid the interruption occasioned by the usual adjournment over the Christmas Hollidays.

Mr. Patterson, from the Committee on Roads and Highways, reported No. 99, H. R. File, "A bill for an act to relocate a part of a Territorial Road from Farmington to Dubuque," which was read a first time.

A motion was made by Mr. Higginson, that the printing of said bill be dispensed with,

And the question being put—was determined in the affirmative.

Yeas 15, Nays 9.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Denson, Felkner, Grant, Hebard, Higginson, Moss, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Hepner, Holliday, McCulloch, Morgan, Patterson, and Lewis, Speaker.

So the printing of said bill was dispensed with..

Mr. Hepner, from the Committee on Enrollments, reported that they had, on this day, presented to his Excellency the Governor, for his approval,.

"An act to Incorporate a College at Washington, in Washington County."

"An act to authorize Robert M. G. Patterson to keep a ferry across the Mississippi River."

"An act supplementary to an act entitled "an act to authorize evidence by oath of parties."

"An act to district the county of Jackson into three Commissioners districts," and

A Joint Resolution requesting our Delegate in Congress to use his influence to have mails carried on Steamboats from St. Louis to Keokuk.

Mr. Hebard, from the Committee on Engrossed Bills, reported Nos. 86, 88, and 90, H. R. File, as correctly engrossed.

Mr. Biggs, from the Committee on Claims, made the following report, to wit:

The Committee on Claims, to which was referred the account of John S. David, for Room rent for the Library and Executive Office, report that they have had said account under consideration and recommend the adoption of the following Resolution:

Resolved, That the Committee on Expenditures be requested to insert in the general appropriation bill a provision for the payment to John S. David the sum of seventy-eight dollars and sixty-six cents, for rent of Library Room from 10th of May to the 10th of Nov. 1841, and for rent of Executive office from the 1st of February 1841, until the 22nd May, of the same year.

The Report was concurred in and the Resolution adopted.

Mr. Wilson, in accordance with previous notice, introduced No. 100, H. R. File, "A bill amendatory to the several acts of this Territory, in relation to Locks in Mill Dams," which was read a first time.

No. 39, H. R. File, "Memorial to Congress for the location of Mail Routes in Iowa," being returned from the Council with their amendments to the same adhered to, was taken up and being under consideration,

A motion was made by Mr. Patterson that there be a Committee of conference appointed to take into consideration the disagreement of the two Houses in relation to said Memorial,

To which the House agreed.

Whereupon Messrs. Patterson, Robertson, and Whitaker were appointed said Committee.

No. 52, H. R. File, "A bill making the Clerk of the Board of County Commissirners elective by the people" being the order of the day was taken up, and on motion of Mr. Grant, the consideration of the same was postponed until Monday next.

No. 71, H. R. File, "A Bill for an act to amend an act subjecting Real and Personal estate to execution," was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Patterson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with an amendment.

To which the House agreed.

On motion of Mr. Grant,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 77, H. R. File, "A bill for an act for the encouragement of Agriculture," was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the whole House on said bill, After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Porter reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with one amendment.

To which the House agreed.

On motion of Mr. Smead,

Ordered, That said bill be engrossed and read a third time on to-morrow.

Bills, &c., of the following titles to wit:

No. 38, C. F. "A bill to amend an act entitled an act for opening and regulating Roads and Highways, approved Jan. 17, 1840."

No. 44, C. F., "A bill to relocate a certain part of the Territorial Road running from Burlington to the mouth of the Desmoines River."

No. 56, C. F. "A bill for an act to amend an act entitled an act for the benefit of settlers &c. on the Half Breed lands,"

No. 67, C. F. "A bill to revive an act to Incorporate Iowa City and for other purposes."

No. 68, C. F. "A bill for an act to establish a Territorial Road from Keosauqua to the Southern boundary of the Territory."

No. 71, C. F. "A bill for an act amending an act, defining the duties of Supervisors of Roads and Highways."

No. 72, H. R. File, "A bill to provide for opening and improving the National Road."

No. 78, H. R. File, "Memorial to Congress for an appropriation to improve the Rapids in the Mississippi river."

No. 81, H. R. File, "A bill for an act for the relief of the poor."

No. 82, H. R. File, "A bill for an act to authorize the establishment of Poor Houses."

No. 83, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the Indian boundary, in Benton county."

No. 84, H. R. File, "A bill for an act to divorce Sarah Wilson from her husband John Wilson;" and,

No. 87, H. R. File, "A bill entitled an act establishing a Territorial Road from Denson's Ferry, on the Wapesipenicon river, towards Dubuque," were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 64, C. F. "A bill for an act amending an act, regulating Weights and Measures," was read a third time.

On motion of Mr. Biggs,

Ordered, That said bill be referred to the Committee on the Judiciary.

On motion of Mr. Wilson,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

A Message from the Council, by Mr. Woods, their Secretary—

MR. SPEAKER—The Council have passed

No. 17, C. F., "A bill to change the time of holding the District Court in the Second Judicial District."

No. 47, C. F. "A bill to amend an act entitled An act in relation to the safe custody of persons arrested for crimes and misdemeanors."

No. 70, C. F. "A bill to make certificates of purchase of land from any land office in this Territory, evidence of title in the purchasers."

No. 84, C. F. "A bill for an act respecting Marks and Brands for horses, cattle, sheep, and hogs."

No. 88, C. F. "Joint Resolution, instructing our Delegate in Congress to use his influence to obtain an appropriation to defray the unpaid expenses of the Legislative Assembly of the Territory of Iowa."

No. 89, C. F. "Joint Resolution, requesting our Delegate in Congress to use his influence with th Postmaster-General, relative to the establishment of certain Post Offices."

No. 68, H. R. File, "Joint Resolution, relative to the Public Printing," and,

No. 75, H. R. File, "A Joint Resolution relative to admission into the Union."

Also, with amendments,

No. 25, H. R. File, "A Bill for an act to provide for levying a Tax on Real and Personal property for Road purposes."

In all of which they ask the concurrence of the House of Representatives.

And then he withdrew.

No. 89, H. R. File, "A bill for an act to authorize William Pickeral and others to construct and maintain a dam across Skunk River," was read a third time, passed and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 91, H. R. File, "A Resolution authorizing the payment of money to James F. Hanby," was read a second time.

On motion of Mr. Toole,

Ordered, That said Resolution be read a third time on to-morrow.

No. 92, H. R. File, "A bill amendatory of an act entitled an act to organize discipline and govern the Militia of this Territory, approved July 31, 1840, and further amendatory of an act entitled an act to organize discipline and govern the Militia of this Territory, approved Jan. 4, 1839," was read a second time.

A call of the House was desired by five members, and the roll being called, those members who failed to answer to their names were, Messrs. Booth and Porter.

The Sergeant-at-Arms was them directed to require the attendance of the absentees.

After some time, a further call of the House was, on motion of Mr. Baker, suspended.

The said Bill was then, on motion of Mr. Hebard, laid upon the table until Monday next.

No. 93, H. R. File, "A bill for an act to review and re-establish a part of the Territorial Road from Keokuk, in Lee county to Iowaville on the Desmoines River," was read second time.

On motion of Mr. Weld,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa, upon the subject of the formation of a State Convention and Government, and to enable them to form a Constitution for the State of Iowa," was read a second time.

On motion of Mr. Weld,

Ordered, That said bill do lie upon the table, and be made the order of the day for Tuesday next.

No. 96, H. R. File, "A bill for an act to relocate the County Seat of Lee County," was read a second time.

On motion of Mr. McCulloch,

The House resolved itself into a Committee of the whole House on said bill, After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Robertson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

To which the House agreed.

On motion of Mr. Booth,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 86, H. R. File, "A bill for an act to divorce Sarah Connelley from her husband William Connelley," was read a third time, and the question being put! Shall the bill pass? It passed in the affirmative,

Yeas 16, Nays 7.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Grant, Higginson, Holliday, McCulloch, Patterson, Porter, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Hepner, Morgan, Moss, Weld, and Wilson.

Ordered, That the Clerk acquaint the Council therewith.

A motion was made by Mr. Porter that the vote given during the forenoon's session for a Committee of conference to be appointed in relation to the disagreeing vote of the two Houses in relation to No. 39, H. R. File, be reconsidered.

To which the House agreed.

A motion was then made by Mr. Biggs, that the House adhere to their disagreement to the same,

And the question being put—was determined in the affirmative.

No. 88, H. R. File, "A bill to provide for the appointment of an acting Commissioner at Iowa City, defining his duties and for other purposes," was read a third time, and the question being put! Shall the bill pass? It passed in the affirmative.

Yeas 16, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Grant, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Weld, Whitaker, and Lewis Speaker.

Those who voted in the negative were, Messrs. Blair, Higginson, Porter, Robertson, Smead, Toole, and Wilson.

A motion was made by Mr. Porter to amend the title of said bill by striking out the word "appointment," and inserting the word election,"

To which the House agreed.

So the bill was passed and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 90, H. R. File, "A bill to provide for an act supplementary to an act subjecting real and personal estate to execution," was read a third time.

A motion was made by Mr. Booth that said bill be referred to the Select Committee appointed this morning in relation to the subject contained in the same.

And the question being put—was determined in the affirmative.

Yeas 12, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Booth, Denson, Felkner, Hepner, McCulloch, Morgan, Patterson, Porter, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Campbell, Grant, Higginson, Holliday, Moss, Robertson, Toole, Weld, and Whitaker.

So the bill was referred.

No. 97, H. R. File, "A bill to authorize the Agent of the Territory to sell certain reserves in Iowa City," was read a second time.

On motion of Mr. Hepner,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Smead reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same back to the House without amendment.

A motion was made by Mr. Whitaker, that said bill be indefinitely postponed,

And the question being put—was decided in the affirmative.

No. 98, H. R. File, "A bill for an act amendatory of an act subjecting real and personal estate to execution," was read a second time.

A motion was made by Mr. Baker, that said bill be also referred to the Select Committee appointed during the forenoon's session, to take into consideration the subject contained in the same.

And the question being put—was determined in the affirmative.

Yeas 16, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Booth, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Whitaker, Wilson, and Lewis, Speaker—16.

Those who voted in the negative, were Messrs. Biggs, Blair, Campbell, Grant, Higginson, Toole, and Weld.

So the bill was referred.

Mr. Biggs, on leave, introduced No. 101, H. R. File, "A Resolution authorizing payment to be made to John Lorton," which was read a first time.

A motion was made by Mr. Biggs, to dispense with the printing of the same,

And the question being put, was decided in the affirmative.

Yeas 21, Nays 2.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Biggs, Blair, Booth, Campbell, Felkner, Grant, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Denson, and Weld.

So the printing of said Resolution was dispensed with.

On motion of Mr. Patterson,

Ordered, That the 44th rule be suspended, and the said Resolution be read a second and third time now.

Said Resolution was then read a second and third time, passed and title agreed to.

Ordered, That the Clerk notify the Council accordingly.

Mr. Biggs gave notice that he would, on to-morrow, introduce a bill reviving the twelfth section of an act entitled an act establishing certain Territorial Roads therein named," approved Jan. 14, 1840.

On motion,

The House adjourned.

Saturday Morning, January 29, 1842.

Mr. Toole presented the petition of John Ronalds, praying for a Charter to keep a Ferry across the Iowa river, at the town of Harrison, in Louisa county.

Ordered, That said petition be referred to the Committee on Incorporations.

Mr. Hepner gave notice, that he would, on some day hereafter, introduce a bill to amend an act to punish trespass on school and other lands;" also, a Memorial to Congress, for an appropriation to the Territory of the contiguous sections to Iowa City.

On motion of Mr. Hebard,

Ordered, That the Chief Clerk, with the assistance of the other Clerks, be directed to furnish the Governor with copies of all Memorials and Joint Resolutions originating in this House, which he may be required to forward to Congress.

Mr. Hebard, from the Committee on Engrossed Bills, reported No. 96, H. R. File, as correctly engrossed.

Mr. Hepner, from the Committee on Enrollments, reported, that they had presented to the Governor, for his approval, on the 28th inst. "An act to authorize the County Commissioners of Van Buren county, to grant a License to Jesse Wright and Henry Bateman, to keep a Ferry across the Des Moines river, at Watertown."

"Preamble and Resolution, in relation to the southern boundary line of this Territory."

"A Joint Resolution, providing for the distribution of the Reports of the Supreme Court."

"A Joint Resolution, authorizing the Secretary to pay George C. Robbins for furnishing Seals for the District Courts of Linn and Jones counties;" and,

"An act to incorporate the Washington Manufactoring Company."

Mr. Toole, from a Select Committee, reported No. 102, H. R. File, "A bill for an act to locate and establish a Territorial Road, from Charles Nealy's in Muscatine county, to Iowa City, in Johnson county," which was read a first time.

Mr. Whitaker, from the Select Committee, to which a certain petition was referred, reported No. 103, H. R. File, "A bill for an act to divorce Nicey Hull from her husband Charles Cornelius Hull," which was read a first time.

Mr. Booth, on leave, introduced No. 104, H. R. File, "A bill to authorize the County Commissioners of Delaware county to pay William Smith, sen'r., William Jonas, and Thomas Denson, for their services as Commissioners to locate the county seat of said county," which was read a first time.

Ordered, That the printing of the three last bills be dispensed with.

No. 99, H. R. File, "A bill for an act to relocate a part of a Territorial Road from Farmington to Dubuque," was read a second time.

On motion of Mr. McCulloch,

Ordered, That said bill be engrossed for a third reading on Monday next.

No. 100, H. R. File, "A bill for an act amendatory to the several acts in relation to Locks in Mill Dams," was read a second time.

On motion of Mr. Wilson,

Ordered, That said bill be engrossed, and read a third time on Monday next.

No. 71, H. R. File, "A bill for an act to amend an act subjecting Real and Personal Estate to execution," was read a third time.

Pending the question on the passage of the bill,

A call of the House was desired, and the roll being called, those who failed to answer to their names, were, Messrs. Grant, Higginson, Holliday, Morgan, and Porter.

The Sergeant-at Arms was then directed to require the attendance of the absentees.

Mr. Robertson asked leave of absence for Mr. Higginson.

Leave was granted.

After some time, a further call of the House was, on motion, suspended.

A motion was then made by Mr. Biggs to suspend the 50th rule, in order to amend the bill by way of rider.

Two-thirds not voting therefor, the motion was lost.

A motion was made by Mr. Felkner, to refer said bill to the Select Committee, appointed to take into consideration the subject therein contained.

And the question being put—was determined in the negative.

Yeas 8, Nays 15.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Felkner, Hebard, Hepner, Morgan, Moss, Robertson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Campbell. Denson, Grant, Holliday, McCulloch, Patterson, Porter, Smead, Toole, Weld, Whitaker, and Wilson.

So the motion was lost.

The vuestion then being put, Shall the bill pass?

It passed in the affirmative—Yeas 19, Nays 4.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Biggs, Blair, Campbell, Denson, Felkner, Grant, Hepner, Holliday, McCulloch, Moss, Patterson, Porter, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were Messrs. Booth, Hebard, Morgan, and Robertson.

So the bill passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 77, H. R. File, "A bill for an act for the encouragement of Agriculture."

No. 91, H. R. File, "A Joint Resolution, authorizing the payment of money to James F. Hanby," were severally read a third time, passed, and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 93, H. R. File, "A bill to re-establish a part of the Territorial Road from Keokuk, in Lee county, to Iowaville, on the Des Moines river," was read a third time, and passed.

No. 96, H. R. File, "A bill for an act to re-locate the county seat of Lee county," was read a third time.

On motion of Mr. Patterson, and by the unanimous consent of the House, an amendment was made to the 5th section of said bill.

The bill was then passed, and title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 25, H. R. File, "A bill to provide for levying a tax on real and personal property for road purposes," being returned from the Council with sundry amendments was taken up, and being under consideration,

On motion of Mr. Biggs,

The first amendment was disagreed to.

The second and third amendments were read and agreed to.

On motion of Mr. Porter,

The vote given in relation to the first amendment, was re-considered.

Mr. Hepner then enquired of the Chair, if the motion, made by Mr. Biggs, to disagree to said amendment, was not again before the House.

The Speaker decided that the motion was not before the House.

From this decision Mr. Hepner took an appeal.

And the question, Shall the decision of the Chair stand as the judgment of this House? being put,

It was determined in the negative.

So the decision of the Chair was reversed.

The question was then taken upon disagreeing with the amendment, and decided in the negative.

The 7th section made by the Council to said bill, was disagreed to.

Bills, &c., from the Council, of the following titles, to wit:

No. 17, "A bill to change the time of holding the District Court in the second Judicial District."

No. 47, "A bill to amend an act entitled An act in relation to the safe keeping of persons arrested for crimes and misdemeanors."

No. 70, H. R File, "A bill to make certificates of purchase of lands from any land office in this Territory, evidence of title in the purchaser."

No. 84, "A bill for an act respecting Marks and Brands for horses, cattle, sheep, and hogs."

No. 88, "Joint Resolution, instructing our Delegate in Congress to use his influence to obtain an appropriation to defray the unpaid expenses of the Legislative Assembly of the Territory of Iowa," and,

No. 89, Joint Resolution, requesting our Delegate to use his influence with the Postmaster-General, relative to the establishment of certain Post Offices;" were severally read a first time.

The Speaker appointed Messrs. Morgan, Biggs, Felkner, Hebard, and Robertson, as a Committee on the part of the House, to act in compliance with the following Joint Resolution, relative to the Public Printing:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That a Committee of three on the part of the Council, and a Committee of five on the part of the House, be appointed to act jointly in fixing the prices which shall be paid for all printing done for the present session of the Legislature, and that they be instructed to enquire into the expediency of reporting a bill establishing the office of Territorial Printer.

On motion of Mr. Campbell,

The House adjourned until Monday.

Monday Morning, January 31, 1842.

Mr. Porter presented the petition of sundry citizens of Henry county, asking a Charter to be granted to Samuel Wells, to erect a Dam across Skunk River.

Ordered, That said petition be referred to the Committee on Incorporations.

Mr. Booth presented the petition of sundry citizens of Clayton County, in relation to a certain Territorial Road within said county.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Booth presented the petition of sundry citizens of Clayton county, praying the Legislature to Memorialize Congress for the improvement of the Navigation of Turkey River.

Ordered, That said petition be referred to the Committee on Memorials.

Mr. Weld presented the petition of sundry citizens of Van Buren county, asking the Repeal of the present Laws, granting charters to build dams across the Des Moines River.

Ordered, That said petition be referred to the Delegation from Van Buren County.

On motion of Mr. Weld,

Ordered, That the petition presented on some previous day, in relation to the subject contained in the foregoing petition be taken from the table, and also referred to the same Committee.

Mr. Weld presented the petition of sundry citizens of Van Buren county, praying the location of a certain Territorial Road.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Moss presented the petition of sundry citizens of Jackson county, asking the location of a Territorial Road from Bellview to Iowa City.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Baker presented the petition of sundry citizens of Washington county in relation to the practice of Physicians.

Ordered, That said petition be referred to the Committee on the Judiciary.

Mr. Baker presented the petition of sundry citizens of Washington country, asking the review of a certain Territorial Road.

Ordered, That said petition be referred to the Delegation from the counties of Washington and Johnson.

Mr. Weld gave notice that he would, on some future day, introduce a bill for an act to incorporate an Insurance Company at Farmington, in Van Buren county.

Mr. Toole gave notice that he would, on some day hereafter introduce a bill providing for the location of a part of a certain Territorial Road in Louisa county.

Mr. Denson gave notice that he would, on some future day, introduce a bill to relocate a certain portion of the Territorial Road from Iowa City to the Mississippi River, opposite Prairie Du Chien that passes through the counties of Linn and Delaware, also

A bill to provide for the location of the County Seat of Buchanan county.

Mr. Morgan, from the Committee on Engrossed bills, reported No. 99, H. R. File, as correctly engrossed.

Mr. Grant, from the Committee on the Judiciary, reported No. 105, H. R. File, "A bill for "an act to change the time of holding the annual session of the Legislature until the first Monday in January," which was read a first time.

Mr. Grant, from the Committee on the Judiciary, reported No. 69, C. F. "A bill to incorporate the Iowa Lodge, at Bloomington," back to the House, and recommended the rejection of the same.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 69, H. R. File, "A bill to authorize persons to remove fences made by mistake on the land of other persons," reported the same back to the House without amendment, and recommended the rejection of the same.

Mr. Grant, from the Committee on the Judiciary, reported No. 64, C. F. "A bill for an act amending an act regulating Weights and Measures," back to the House, and recommended the rejection of the same, and submitted a report in relation to the subject.

Said report reads as follows:

The Committee on the Judiciary, to which was referred a bill for an act to amend an act regulating Weights and Measures, beg leave to make the following report:

That the bill proposes to add a new officer to that swarm of county officers already in existence, and to leave the compensation of that officer to the discretion of County Commissioners.

The duties of keeping weights and measures by the present Law, is performed by the County Commissioners' Clerk, and it is presumed that the aggregate fees for keeping and sealing weights and measures will not exceed ten dollars per annum for each county. Your Committee are of opinion, that any change in the provisions of the present law are unnecessary, and not called for by public opinion.

The subject of weights and measures belongs to the National Government, and they have passed Laws, establishing such a standard as they have deemed expedient, and your Committee deem so much of the law, as provides for the size &c. of dry measure and weights, is not authorized by the Constitution:

The act of Congress requires the Governors of the several States to be furnished by the Government, and contemplates, that the State should regulate and conform its laws to that standard adopted by Congress.

As the manufacture of dry Measures is limited, and that of weights unknown in the Territory, your Committee do not deem any further Legislation on the subject necessary, and respectfully recommend the rejection of the bill.

Mr. Moss, on leave, introducedNo. 106, H. R. File, "Joint Resolution relative to the revision of the laws of the Territory," which was read a first time.

Mr. Biggs, in accordance with previous notice, introduced No. 107, H. R. File, "A bill for an act to revive the twelfth section of an act establishing certain Territorial Roads therein named," which was read a first time.

A motion was made by Mr. Toole, that the printing of said bills be dispensed with.

To which the House agreed.

A motion was made by Mr. Toole, that the printing of the Resolution offered by Mr. Moss, be also dispensed with.

And the question being put—was determined in the negative.

No. 97, H. R. File, "A bill to Incorporate the Mount Pleasant Literary Institute," being the order of the day was taken up, and

On motion of Mr. Porter,

The consideration of the same was postponed until Friday next.

No. 52, H. R. File, "A bill making the Clerk of the Board of Commissioners elective by the people," being the order of the day, was taken up, and,

On motion of Mr. Whitaker,

Laid upon the table until Monday next.

No. 79, H. R. File, "A bill for an act to compel the Miners' Bank of Dubuque to resume specie payment," being the order of the day, was taken up, and the question being to concur in the amendment made by the committee of the Whole House, and being put,

Was determined in the negative,

Yeas 6. Nays 17.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Booth, Porter, Robertson ,Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Smead, Weld, and Whitaker.

So the Report was not concurred in.

A motion was made by Mr. Weld, that the blank in said bill be filled with the words "1st of March."

A motion was made by Mr. Baker, to insert the words "1st of August,"

And the question being put, on the last motion,

Was determined in the affirmative,

Yeas 13, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Blair, Booth, Denson, Hebard, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson. and Lewis, Speaker.

Those who voted in the negative, were Messrs. Biggs, Campbell, Felkner, Grant, Hepner, Holliday, McCulloch, Morgan, Weld, and Whitaker.

So the Blank was filled with the words "1st of August," requiring the said Bank to resume specie payment at that time.

A motion was then made by Mr. Grant that said bill be indefinitely postponed,

And the question being put—It was determined in the negative.

Yeas 11, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Booth, Campbell. Grant, Hepner, Holliday, McCulloch, Morgan, Weld, and Whitaker.

Those who voted in the negative were, Messrs. Baker, Denson, Felkner, Hebard, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson. and Lewis, Speaker.

So the motion to postpone was lost.

A motion was made by Mr. Baker that said bill be engrossed and read a *third time* on to-morrow.

And the question being put, was decided in the affirmative.

Yeas 14, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Blair, Booth, Denson, Felkner, Hebard, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Campbell, Grant, Hepner, Holliday, McCulloch, Morgan, Weld and Whitaker.

So the bill was ordered to be engrossed for a third reading on to-morrow.

No. 92, H. R. File, "A bill to amend the several acts in relation to the organization of the Militia of this Territory," was read a second time.

On motion of Mr. Baker,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Smead reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same back to the House without amendment.

On motion of Mr. Patterson,

Ordered, That said bill be committed to the Committee on Military Affairs.

On motion of Mr. Biggs,

The House adjourned.

Tuesday Morning, February 1, 1842.

Mr. Felkner presented the petition of Seth Baker, praying to be divorced from his wife, Sally Baker.

On motion of Mr. Felkner,

Ordered, That said petition be referred to a Select Committee of five members.

Whereupon, the Speaker appointed Messrs. Felkner, Blair, Campbell, Smead, and Baker, said Committee.

Mr. Denson presented the petition of sundry citizens, praying a law to be passed, compelling such persons as have built Dams across the north and south forks of the Maquoqueta river, to put Locks in the same, so as to enable fish to ascend said river.

Ordered, That said petition be referred to the Committee on Territorial Affairs.

A message from the Council by Mr. Woods their Secretary.

Mr. Speaker:—The Council have passed

No. 76, C. F. "A bill concerning Oaths and Affidavits.

No. 90, C. F., "A Memorial to Congress, for the relief of Jeremiah Smith, Jr.

No. 67, H. R. File, "A bill for an act to legalize the location of certain Territorial Roads therein named.

No. 65, H. R. File, "A bill for an act to legalize the location of a certain Territorial Road, in Washington county.

They have passed with amendments,

No. 60, H. R. File, "An act to amend an act entitled An act establishing a certain Territorial Road therein named," approved, Jan. 13th, 1841.

They have agreed to the amendments made by the House of Representatives to

No. 38, C. F. "A bill to amend an act entitled an act for opening and regulating Roads Highways," approved, Jan. 17th, 1842.

No. 44, C. F., "A bill to re-locate a cetain part of the Territorial Road, running from Burlington, to the mouth of the Des Moines river."

I herewith present, for your signature, four enrolled bills, which originated in the Council.

The Council have appointed Messrs. Johnson, Coop, and Hall, a Committee on the part of the Council to act with a Committee of the House of Representatives in compliance with a Joint Resolution relative to the Public Printing.

The Council have appointed Messrs. Johnston, Hastings, and Hall, a Committee of conference, in relation to the disagreement of the amendments made by the Council to No. 25, H. R. File.

The Council have appointed Messrs. Wallace, Kirkpatrick, and Springer, a Committee of conference on the part of the Council on the disagreement by the House of Representatives to the amendments made by the Council to No. 39, H. R. File.

The Speaker then signed the above enrolled bills.

Mr. Toole, from the Select Committee, to which the subject was referred, reported No. 108, H. R. File, "A Memorial to Congress, for an appropriation to improve certain mail routes in this Territory," which was read a first time, and the printing of the same dispensed with.

Mr. Baker, from the Select Committee, to which the subject was referred, reported No. 109, H. R. File, "A bill for an act to re-locate a part of a certain Territorial Road in Washington county," which was read a first time, and the printing dispensed with.

Mr. Toole, from the Select Committee, to which was referred No. 62, H. R. File, "A bill for an act to amend an act concerning Costs and Fees," reported the same back to the House with sundry amendments, which were ordered to be printed.

Mr. Weld, in accordance with previous notice, introduced No. 110, H. R. File, "A bill for an act to incorporate an Insurance Company at the town of Farmington, Van Buren county," which was read a first time.

Mr. Hepner, in accordance with previous notice, introduced No. 111, H. R. File, "A bill to amend an act to punish for trespass on School and other lands;" which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, reported No. 112, H. R. File, "A bill for an act to locate and establish a Territorial Road from Crawfordsville, in Washington county, to Smith's mills, in Henry county," which was read a first time.

On motion of Mr. Higginson,

Ordered, That the printing of said bill be dispensed with.

On motion of Mr. Biggs,

Ordered, That a Committee of conference be appointed to confer with a similar Committee, appointed on the part of the Council, on the subject of the disagreement between the two Houses, on the amendments made by the Council to H. R. File, No. 39, "A Memorial to Congress for the location of Mail Routes in Iowa Territory."

Messrs. Biggs, Hebard, and Patterson were appointed said Committee.

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa upon the subject of the formation of a State Constitution, and for other purposes," was read a second time.

A call of the House was desired by five members, which was had, and the roll being called, those who failed to answer to their names, were, Messrs. Booth, Porter, Weld, and Whitaker.

The Sergeant-at Arms was then directed to require the attendance of the absentees.

After some time, a further call of the House was, on motion of Mr. Hepner, suspended.

The House then resolved itself into a Committee of the whole House, for the consideration of said Bill. After some considerable time spent therein,

Mr. Speaker resumed the Chair and Mr. Toole reported that the Committee had, according to order, had said bill under consideration, and instructed him to report the same, and ask leave to sit again on to-morrow.

Leave was granted.

No. 69, H. R. File, "A bill to authorize persons to remove fences, made by mistake, on the land of other persons," was read a second time, with the report of the Committee on the Judiciary, recommending the rejection of said bill.

On motion of Mr. Biggs,

The said report was amended so as to recommend the indefinite postponement of said bill.

The question was then taken on concurring in the report of the Committee, and determined in the affirmative.

No. 102, H. R. File, "A bill for an act to locate and establish a Territorial Road from Charles Neally's, in Muscatine county, to Iowa City," was read a second time."

On motion of Mr. Holliday,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 103, H. R. File, "A bill to divorce Nicey Hull from her husband C. C. Hull," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 104, H. R. File, "A bill to authorize the County Commissioners of Delaware county, to pay Wm. Smith, sen'r, Wm. Jonas, and Thomas Denson, for their services as Commissioners to locate the county seat of said county," was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 17, C. F. "A bill to change the time of holding the District Court in the second Judicial District," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill be referred to a Select Committe.

Whereupon, the Speaker appointed Messrs. Toole, Booth, and Grant said Committee.

No. 47, C. F. "A bill to amend an act entitled An act in relation to the safe custody of persons arrested for crimes and misdemeanors," was read a second time.

On motion of Mr. Robertson,

The said bill was amended, by inserting an enacting clause to the same.

A motion was made by Mr. Hepner, that said bill be referred to the Committee on the Judiciary.

The motion was lost.

On motion of Mr. Biggs,

Ordered, That the said bill be referred to the Committee on Territorial Affairs.

A motion was made by Mr. Weld, that the House do now adjourn until 2 o'clock, P. M.

And the question being put—was determined in the affirmative.

Yeas 17, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Blair, Booth, Campbell, Felkner, Hebard, Hepner, Higginson, Holliday, McCulloch, Morgan, Patterson, Quinton, Robertson, Smead, Weld, and Whitaker.

Those who voted in the negative, were, Messrs. Biggs, Denson, Grant, Moss, Toole, Wilson, and Lewis, Speaker.

So the House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

No. 70, C. F. "A bill to make certificates of purchase of Lands from any Land Office in this Territory, evidence of title in the purchaser," was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill be committed to the Committee on the Judiciary.

No. 84, C. F. "A bill for an act respecting Marks and Brands for Horses, Cattle, Sheep and Hogs," was read a second time.

Ordered, That said bill be referred to the Committee on the Township laws.

No. 88, C. F., "Memorial to Congress for an appropriation to pay the unpaid expenses of the Legislature of Iowa," was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the whole House for the consideration of said Memorial. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Whitaker reported, that the Committee had, according to order, had said Memorial under consideration, and instructed him to report the same with one amendment.

Pending the question of concurring in the Report of the Committee.

A call of the House was desired, and the roll being called, those who failed to answer to their names were, Messrs. McCulloch and Porter.

The Sergeant-at-Arms was them directed to require the attendance of the absentees.

After some time, a further call of the House was, on motion, suspended.

On motion of Mr. Grant,

Ordered, That said Memorial do lie upon the table.

No. 89, C. F., "A Joint Resolution instructing our Delegate in Congress to use his influence with the Post Master General relative to the establishment of Post Offices," was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the Whole House on said Memorial. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Wilson reported, that the Committee had, according to order, had said Momorial under consideration, and instructed him to report the same with sundry amendments.

The Report was concurred in.

Several slight amendments being made to said Memorial, it was, on motion of Mr. Robertson, ordered to be read a third time on to-morrow.

No. 64, C. F. "A bill for an act amending an act regulating Weights and Measures," was read a second time, together with the report of the Committee on the Judiciary, recommending the rejection of the same.

On motion of Mr. Grant,

The said report was so amended as to recommend the indefinite postponement of the bill.

The question was then taken on concurring in the said report, as amended, and determined in the affirmative.

So the bill was indefinitely postponed.

No. 69, C. F. "A bill to incorporate the Iowa Lodge, at Bloomington," together with the report of the Committee on the Judiciary, recommending the rejection of the same, was read a second time.

On motion,

The said report was amended so as to recommend the indefinite postponement of the said bill.

The question then being put, Will the House concur in the report of the Committee?

Was decided in the affirmative.

So the bill was indefinitely postponed.

No. 105, H. R. File, "A bill for an act to change the time of holding the annual meeting of the Legislature," was read a second time.

A motion was made by Mr. Baker, that said bill be engrossed and read a third time on to-morrow.

And the question being put—was determined in the negative.

Yeas 10, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Denson, Grant, Hebard, Holliday, Robertson, Smead, Toole, Weld, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Biggs, Blair, Booth, Campbell, Felkner, Hepner, Higginson, McCulloch, Morgan, Moss, Patterson, Quinton, Whitaker, and Wilson.

So the motion to engross for a third reading on to-morrow, was lost.

A motion was made by Mr. Moss, that said bill be indefinitely postponed.

And the question being put—was determined in the affirmative.

No. 106, H. R. File, "A Joint Resolution, relative to the revision of the Laws," was read a second time.

A motion was made by Mr. Whitaker, that said resolution be indefinitely postponed.

Pending which,

A motion was made by Mr. Wilson, that the House do now adjourn.

And the question being put—was determined in the negative.

Yeas 12, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Hebard, Higginson, McCulloch, Morgan, Patterson, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Felkner, Grant, Hepner, Holliday, Moss, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the motion to adjourn was lost.

A motion was then made by Mr. Baker, that said bill be committed to the Committee on the Judiciary, which, having precedence of the motion to postpone, was put, and determined in the negative.

Yeas 6, Nays 18.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Baker, Grant, Holliday, Robertson, Smead, and Toole.

Those who voted in the negative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, McCulloch, Morgan, Moss, Patterson, Quinton, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the motion to commit was lost.

The question then recurring on the motion to postpone said bill indefinitely.

And being put—was determined in the negative.

Yeas 11, Nays 13

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs Biggs, Blair, Campbell, Denson, Felkner, Higginson Patterson, Quinton, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were Messrs. Baker, Booth, Grant, Hebard, Hepner, Holliday, McCulloch, Morgan, Moss, Robertson, Smead, Weld, and Wilson.

So the motion to postpone indefinitely, was lost.

A motion was then made by Mr. Higginson, that the House do now adjourn.

And the question being put—was determined in the affirmative.

Yeas 15, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Blair, Booth, Denson, Hebard, Hepner, Higginson, Holliday McCulloch, Morgan, Patterson, Robertson, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Campbell, Felkner, Grant, Moss, Quinton, Toole, Weld, and Whitaker.

So the House adjourned.

Wednesday Morning, February 2, 1842.

Mr. Booth presented the petition of sundry citizens of Jackson county, in relation to the establishment of a certain Territorial Road.

On motion of Mr. Moss,

Ordered, That said petition be referred to a Select Committee.

Whereupon, Messrs. Moss, Denson, and Blair, were appointed said Committee.

A Message from the Council, by Mr. Woods, their Secretary—

Mr. Speaker—The Council have appointed Messrs. Springer, Wallace, and Green, a Committee of conference on the part of the Council, in relation to the disagreement by the House of Representatives to the amendment made by the Council, to No. 28, H. R. File, "A bill for an act to amend an act, organizing a board of County Commissioners in each county.

And then he withdrew.

Mr. Booth presented the petition of Ithiel Corbit, praying the Legislature to pass a law, authorizing the County Commissioners of Jackson county, to pay him for a portion of his claim upon which the Seat of Justice of said county was located.

Ordered, That said petition be referred to the Committee on the Judiciary.

A motion was made by Mr. Leffler, to take from the table the remonstrance of sundry citizens of Des Moines county, against the passage of the Valuation Law, in order that the same might be taken to the Council, where said bill is now under consideration.

To which the House agreed.

Mr. Smead presented the remonstrance of sundry citizens of Henry county, against any alteration of the law relative to Blacks and Mulattos.

Ordered, That said remonstrance be referred to the Committee on the Judiciary.

Mr. Grant presented the remonstrance of sundry citizens of Scott county, in relation to the Territorial Road from Davenport to Dubuque."

Ordered, That said remonstrance do lie upon the table.

Mr. Quinton presented the petition of sundry citizens of Jefferson county praying the establishment of a Territorial Road from Fairfield to the forks of Skunk river.

Ordered, That said petition be referred to the delegations from Jefferson and Washington counties.

Mr. Felkner presented the petition of the President, Directors, and Members of the Iowa City Lyceum, asking the use of the House of Representatives Hall for the benefit of said Society.

On motion of Mr. Biggs,

Ordered, That said petition do lie upon the table.

Mr. Moss presented the petition of sundry citizens of Jackson county, in relation to a certain Ferry Charter, granted and kept by

Oliver A. Crary and others, across the Mississippi river, in said county.

Ordered, That said petition be referred to a Select Committee.

Messrs. Moss, Whitaker, and McCulloch were appointed said Committee.

Mr. Denson gave notice, that on to-morrow he would introduce a bill for an act to establish a Territorial Road from William Clark's, in Jones county, to Marion, in Linn county.

On motion of Mr. Whitaker,

Ordered, That a Committee of Conference be appointed to confer with a similar Committee on the part of the Council, in relation to the disagreement of the two Houses to the amendments made to No. 28, H. R. File, "A bill for an act to amend an act, organizing a board of County Commissioners in each county."

Whereupon, Messrs. Whitaker, Toole, and Hepner, were appointed said Committee.

Mr. Morgan, from the Select Committee, to which was referred the resolution providing for the payment of certain sums of money to the printers therein named, submitted a report, which was read.

A motion was made by Mr. Biggs, that the same do lie upon the table. Pending which,

A motion was made by Mr. Hepner, to amend said motion, by laying the same upon the table and 50 copies be printed for the use of the House.

Mr. Toole moved a division of the question.

The question then being on laying said report on the table.

And being put—was determined in the affirmative.

The question then recurred on ordering 50 copies of the same to be printed. And the same being put—it was determined in the negative.

Yeas 10, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Denson, Felkner, Hepner, McCulloch, Morgan, Patterson, Quinton, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Holliday, Leffler, Moss, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

So the motion to print was lost.

Said report read as follows:

The Special Committee, to whom the same was referred, have had under consideration, and now report upon, the following Joint Resolution of the Council, providing for the payment of certain sums to the printers therein named, to wit:

Resolved, by the Council and House of Representatives of the Territory of Iowa, That Messrs. Russell & Hughes be allowed the sum of eleven hundred and twenty-two dollars and seventy-five cents, and that William W. Coriell be allowed the sum of fifteen hundred and twelve dollars and thirty-eight cents, for publishing, in pamphlet form, the Journals of the Council and House of Representatives of the session commencing on the 2d day of November, 1840, and that the Secretary of the Territory be authorized to pay out of any money that may hereafter be appropriated to defray the expenses of the Legislative Assemby, to the said Russell & Hughes, and William W. Coriell, the sums allowed them, respectively, out of any monies which may hereafter be appropriated by Congress, to defray the expenses of the Legislative Assembly, heretofore incurred, and yet unpaid.

Your Committee have referred to the resolutions authorizing said Russell & Hughes, and said Coriell, to do said printing, and find them to read as follows:

"Resolved, That Russell & Hughes, publishers of the Bloomington Herald, print one hundred and fifty copies of the Journal of this Council, and deliver the same to the Secretary of the Territory within four months after the adjournment of the Legislature; and that the Secretary pay said Russell & Hughes the prices *heretofore* paid for *such work.*"

Such is the reading of the resolution of the Council, giving the printing of the Journals of that body to Russel & Hughes.

The resolution of the House of Representatives, authorizing Wm. W. Coriell to print the Journals of that body, reads as follows:

"Resolved, That William W. Coriell, publisher of the Iowa News, at Dubuque, be, and he is hereby authorized, to print the usual number of copies of the Journal of this House, in pamphlet form, and have the same ready for distribution within four months from the close of the present session, and that he be allowed the "*usual*" compensation for such work."

Your Committee think there can be no doubt but that a resolution of either branch of the Legislature, authorizing any individual or individuals to do a certain service, and promising to pay compensation for such service, is, to all intents and purposes, a bona fide contract, at least so far as the party authorizing the service, is concerned.

It is clear to your Committee, that the printers who undertook the printing in question, did faithfully and promptly perform the service authorized by the two respective branches of the last Legislature, and it only remains for the Territory, for which the printing was done, to fulfill its part of the contract.

The first consideration, then, which arises here, is, what is meant by the terms "*heretofore*" and "*usual*," as expressed in the resolutions, or contracts, under which the said printers performed the service? Evidently the understanding must have been, that the said printers should be allowed the prices "*heretofore*" paid *in this Territory* for "such work"—for if we go beyond the Territory for precedents in such mattters, there can be no limits to the country over which we might travel, nor any period in the past to which we might not refer, to ascertain the prices then and there paid for similar work. Your Committee, therefore, think that a fair and proper construction of the term "*heretofore*," considered in connexion with the other portions of the resolution, would confine the settlement of the account of Russell & Hughes, to the prices which have always been allowed in this Territory, for similar work.

The second resolution, giving the printing of the House Journal to William W. Coriell, was adopted at the same session, and though not in the same words, evidently embodies the same spirit and meaning as that of the resolution giving the printing of the Council Journals to Russell & Hughes. It was unquestionably founded on the same intention, and must therefore be construed in the same manner, and as meaning the same thing, to wit: that the said Coriell should receive, for printing said Journals, the compensation "*heretofore*," or "*usually*" paid for "such work" *in this Territory.*

According to the understanding of your Committee, they consider themselves confined, by the wording of the foreging resolutions, to the simple matter of ascertaining what have been the prices "heretofore," or "usually" *paid in this Territory*, for printing the Legislative Journals, and be these prices what they may—too great or too small—your Committee are of opinion, that the Territory is legally bound, by the terms of the contracts, (or wording of the resolutions) to pay them to the printers, who have faithfully and promptly performed their part of the contract, by printing the Journals according to order, and by the time specified. Your Committee conceive that it was not made a condition in the contract with the printers here concerned, to enquire into any supposed fraud or mistake in the prices "usually" paid for "such work" in this Territory—but that they were left to infer that the prices which had been allowed up to that time, were correct, and that the same would be paid to them, of course.—And doubtless it was with the understanding, that they would be paid the price which had "heretofore" been paid, that they agreed to accept the proffer of, and perform, the work.

Your Committee have considered the subject merely in its legal bearing, because, as before observed, they regard themselves confined by the terms of the resolutions authorizing the printing, to the one purpose of ascertaining the prices which have been "heretofore" paid similar work in this territory, and to report said prices to this House.

By inquiry, your Committee learn that the prices which have been "*heretofore*" paid to James G. Edwards, and others, for similar work, were $2.50 per thousand ems—this charge including the paper and ink necessary for the work, and also the folding, stitching, and binding of the same. For these latter services and materials, Messrs. Russel & Hughes and Mr. Coriell have made an extra charge, which, under the resolutions giving them the work, they had no right to do, and for which no allowance ought to be made.

The whole amount of the claim of Wm. W. Coriell is $1,512 38—from which deduct $318 75, his extra charges for press work, paper, and binding, leaving $11,93 63—the whole amount for the composition, 336 pages, each page containing 1421 ems, at $2 50 per page—the price "*usually*" paid for "such work" in this Territory.

The whole amount of the claim of Russell & Hughes is $1,122 75—from which deduct $151 25, their extra charges for press work, paper, and binding, leaving $971 50—the whole amount for the composition of 268 pages, each page containing 1,450 ems, at $2.50 per page, the price "*heretofore*" paid for similar work in this Territory.

The account, then, against the Territory, as corrected by the prices "heretofore" paid for similar work, will stand as follows:

Due Wm. W. Coriell, for printing 300 copies of the Journals of the House, of 300 pages, each page containing 1,421 ems, at $2.50 per 1000 ems—$1,193 63

Due Russell & Hughes. for printing 150 copies of the Journals of the Council, of 268 pages, each page containing 1,450 ems, at $2.50 per 1000 ems—$971 50

Your Committee, therefore recommend that the words "eleven hundred and twenty-two dollars" in the fourth and fifth lines, in the Joint Resolution from the Council, be stricken out, and the words *nine hundred and seventy-five dollars and fifty cents* inserted; and that the words "fifteen hundred and twelve dollars and thirty-eight cents," in the seventh and eighth lines be stricken out, and the words *eleven hundred and ninety-three dollars and sixty-three cents* inserted.

But in recommending this amendment to the resolution from the Council, your Committee would not be understood as expressing any opinion as to the character of the charges—whether too large or too small—but as merely regulating the allowance by the *prices* which have "*heretofore*" been *paid* for "such work."

Thus much in regard to the legality of the claims—and beyond this, your Committee do not deem that they have any authority to go, and therefore ask to be discharged from the further consideration of the subject.

Mr. Patterson, from the Committee on Roads and Highways, to which was referred the petition of sundry citizens of Van Buren county, asking the establishment of a Territorial Road, reported, that a bill has already passed this Legislative Assembly, authorizing the establishment of the said Road, and in consequence the Committee ask to be discharged from a further consideration of said petition.

The report was concurred in.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 70, C. F. "A bill to make certificates of purchase of lands from any land office in this Territory, evidence of title in the purchaser," reported the same back to the House with amendments.

Mr. Hepner, in accordance with previous notice, introduced No. 114, H. R. File, "Memorial to Congress, relative to the contiguous sections of land to Iowa City," which was read a first time.

On motion of Mr. Toole,

Ordered, That the 44th rule be suspended, and the said Memorial be read a second time now.

The said Memorial was then read a second time, and, on motion, referred to the Committee on Memorials.

Mr. Moss, from the Select Committee, to which was referred No. 85, H. R. File, "A bill for an act to locate certain Territorial Roads therein named," reported the same back to the House without amendment.

Mr. Felkner, from the Committee on Incorporations, to which was referred the petition of the citizens of Davenport and vicinity, praying for the incorporation of a company for the construction of a Canal around the Upper Rapids of the Mississppi, reported that the Committee deem it inexpedient to grant the prayer of said petitioners, and ask to be discharged from a further consideration of the subject.

The report was concurred in.

Mr. Hepner, from the Committee on enrollments, reported, that they had presented to the Governor for his approval on the 1st inst.

An act to revive an act, to incorporate Iowa City, and for other purposes.

An act amending an act defining the duties of Supervisors of Roads and Highways.

An act to establish a Territorial Road from Keosauque, to the southern boundary line of the Territory; and,

An act to amend an act, for the benefit of settlers on the Half-Breed Lands."

On motion of Mr. Patterson,

Ordered, That there be a Committee of Conference appointed on the part of the House, to confer with a similar Committee on the part of the Council, in relation to the disagreement of the two Houses to the amendments made to No. 25, H. R. File.

Whereupon, the Speaker appointed Messrs. Patterson, Robertson, and Quinton, said Committee.

No. 79, H. R. File, "A bill for an act to compel the Miners' Bank of Dubuque to resume specie payment," was read a third time.

Pending the question on the passage of said bill,

A call of the House was desired, and the roll being called, those who failed to answer to their names, were, Messrs. Booth and Porter.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time, the absentees appearing, a further call of the House was, on motion of Mr. Robertson, suspended, and,

After debate, the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 15, Nays 11.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Blair, Booth, Felkner, Hebard, Higginson, Leffler, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Campbell, Denson, Grant, Hepner, Holliday, McCulloch, Morgan, Quinton, Weld, and Whitaker.

A motion was made by Mr. Patterson, that the House do now adjourn.

The motion was lost.

The question then being on the adoption of the Preamble attached to said bill.

And the same being put—was determined in the affirmative,

Yeas 21, Nays 5.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Higginson, Holliday, Leffler, Morgan, Moss, Porter, Quinton, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Grant, Hepner, McCulloch, Patterson, and Lewis, Speaker.

So the Preamble was adopted.

Mr. Morgan then asked, and obtained, leave to enter the following protest on the Journal against the passage of said bill, to wit:

I protest against the passage of the bill, compelling the Miners' Bank of Dubuque, to resume specie payments on the first of August next, for the following reasons:

1st. Because said bill is the result of a Preamble, which sets forth, and has been legislated upon, with the understanding, that said Bank, by suspending specie payments, has violated its Charter. If this be true, that the Bank, by suspending specie payments, has violated its charter, any law, compelling it to resume, at any stated period, would virtually legalize its suspensions, from the time it first suspended until the time when it should resume, and believing the practice of legalizing the suspensions of Banks by Legislative bodies to be a fraud upon the public, I am opposed to any law which would, directly or indirectly, be of such effect.

2nd. If the Charter of said Bank has not been forfeited by its suspensions, nor by any other "abuse" of its corporate powers, then, in my opinion, it should be left subject to action for debt as private individuals are.

For these reasons, I have voted against every amendment offered to the Bill, and for these reasons, I now protest against its passage, and respectfully ask that this protest may be entered upon the Journal.
JAMES W. MORGAN.

A motion was made by Mr. Quinton, that the House adjourn until 2 o'clock, P. M.

And being put—was determined in the affirmative.

Yeas 18, Nays 8.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Felkner, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were Messrs. Biggs, Blair, Booth, Campbell, Denson, Grant, Toole, and Weld.

So the House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House resumed in Committee of the Whole House the consideration of No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa, upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa."

After some considerable time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said Bill under consideration, and instructed him to report the same with sundry amendments.

A motion was made by Mr. Robertson to disagree to the amendment made by Committee on the 7th Sec.

Mr. Hepner moved a division of the question.

The Speaker decided that it was not a motion susceptible of division.

On which decision Mr. Grant took an appeal,

And the question being put! Shall the decision of the Chair stand as the judgment of this House? It was determined in the affirmative.

The Chair then stated that the question before the House was on concurring in the amendment made by the Committee, and on putting the same, it was decided in the negative.

Yeas 11, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Grant, Hebard, Leffler, McCulloch, Patterson, Quinton, Smead, Weld, Whitaker and Wilson.

Those who voted in the negative, were, Messrs. Baker, Blair, Booth, Campbell, Denson, Felkner, Hepner, Higginson, Holliday, Morgan, Moss, Robertson, Toole, and Lewis, Speaker.

So the amendment made by the Committee to the 7th Sec. striking out "Iowa City," and inserting Keosauqua, was not concurred in.

A motion was then made by Mr. Grant to strike out the words "Iowa City," and insert the word "Davenport."

And the question being put! It was determined in the negative.

Yeas 9, Nays 16.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Blair, Grant, Hebard, Hepner, Leffler, Robertson, Smead, Whitaker, and Wilson,

Those who voted in the negative, were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Higginson, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Toole, Weld, and Lewis, Speaker.

So the motion was lost.

A motion was made by Mr. Grant to amend the 5th sect. of said Bill by striking out the words "Eighty-two," and inserting the word "fifty."

And the question being put—was determined in the negative.

Yeas 9, Nays 16.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Blair, Denson, Grant, Hebard, Higginson, Leffler, Robertson, Smead, and Wilson.

Those who voted in the negative, were Messrs. Baker, Biggs, Booth, Campbell, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Toole, Weld, Whitaker, and Lewis Speaker.

So the motion was lost.

Several amendments being made to said Bill, it was on motion of Mr. Toole, ordered to be engrossed for a third reading on to-morrow.

A message from the Council by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have concurred in the Report of the Committee of conference appointed to confer as to the disagreement of the two Houses, on No. 28, H. R. File, "A bill for an act to amend an act organizing a Board of County Commissioners in each County.

I herewith present for your signature two enrolled Bills.

And then he withdrew.

The Speaker then signed said enrolled Bills.

No 99, H. R. File, "A bill for an act to relocate a part of a Territorial Road from Farmington to Dubuque.

No. 102, H. R. File, "A bill for an act to locate a Territorial Road from Charles Neally's to Iowa City," were severally read a third time, passed and their titles agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 100, H. R. File, "A bill for an act amendatory to the several acts in relation to Locks in Mill Dams," was read a third time.

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table until Monday next.

A motion was made by Mr. Baker to reconsider the vote of yesterday, given on the motion to postpone indefinitely No. 69, C. F., "A bill to incoporate the Iowa Lodge at Bloomington."

The motion was lost.

A motion was made by Mr. Biggs to reconsider the vote of yesterday, given on the motion to postpone indefinitely No. 105, H. R. File, "A bill for an act to change the time of holding the annual session of the Legislature," To which the House agreed.

A motion was then made by Mr. Patterson that said Bill do lie upon the table until the 4th of July next.

And the question being put—It was determined in the negative.

Yeas 9, Nays 16.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell. Hepner, Higginson, McCulloch, Patterson, Quinton, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Biggs, Blair, Denson, Felkner, Grant, Hebard, Holliday, Leffler, Morgan, Moss, Robertson, Smead, Toole, Weld, and Wilson.

So the motion to lay said bill upon the table was lost.

On motion of Mr. Biggs,

Ordered, That said bill be referred to the Committee on Territorial Affairs.

No. 103, H. R. File, "A bill to divorce Nicey Hull from her husband Charles C. Hull," was read a third time.

And the question being put, shall the bill pass? Was determined in the affirmative.

Yeas 18, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Grant, Hepner, Higginson, Leffler, McCulloch, Patterson, Quinton, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Blair, Hebard, Holliday, Morgan, Moss, Weld and Wilson.

So the bill passed and title was agreed to.

Ordered, That the Clerk notify the Council accordingly.

No. 104, H. R. File, "A bill to authorize the County Commissioners of Delaware County to pay William Smith, Senr., William Jonas, and

Thomas Denson, for their services as Commissioners, to locate the County Seat of said county," was read a third time and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 89, C. F., "Joint Resolution, requesting our Delegate in Congress to use his influence with the Post Master General relative to the establishment of certain Post Offices," was read a third time.

On leave, and by the unanimous consent of the House, several slight amendments were made to said Resolution.

The same was then passed and its title agreed to.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Leffler,

The House adjourned.

Thursday Morning, February 3, 1842.

Mr. Booth, from the Committee on Territorial Affairs, made the following report:

The Committee on Territorial Affairs to which was referred "A bill for an act to change the time of holding the annual Session of the Legislature," report that they have given the same due consideration, and a majority of the Committee recommend its indefinite postponement.

Mr. Booth, from the same Committee to which was referred No. 47, C. F., "A bill to amend an act entitled an act in relation to the safe custody of persons arrested for crimes and misdemeanors," reported the same back to the House without amendment, and recommend its passage.

A Message from the Council by Mr. Woods their Secretary:

Mr. Speaker:—The Council have passed No. 78, H. R. File, "A Memorial to Congress for an appropriation to improve the Rapids in the Mississippi River."

No. 83, C. F., "A bill to incorporate the Cedar Rapids Manufacturing Company."

Also, with amendments, No. 72, H. R. File, "A bill to provide for opening and improving the Military Road,"

In which they ask the concurrence of the H. of R.

And then he withdrew.

Mr. Whitaker, from the Committee appointed to confer with a similar Committee on the part of the Council, in relation to the disagreement of the two Houses to the amendment made to No. 28, H. R. File, "A Bill for an act to amend an act entitled "an act organizing a Board of County Commissioners in each county," reported that said Committee have agreed to the striking out of the 7th Sect. of said bill, and ask to be discharged from the further consideration of the same.

Mr. Moss, from a select Committee, reported No. 115, H. R. File, "A bill to authorize James Leonard to keep a ferry across the Mississippi River at Charleston, in Jackson county," which was read a first time.

Mr. Hepner, from the Committee on Memorials, to which was referred, A Memorial for an appropriation to improve a Territorial Road from Burlingt n to the mouth of the Des Moines River."

"A Memorial for an appropriation of fifty thousand dollars, to improve the navigation of the Iowa and Cedar Rivers."

"A Memorial for an appropriation of ten thousand dollars to improve the Territ rial Road from Iowa City to Prairie Du Chien."

"A Joint Qesolution requesting our Delegate in Congress to procure an appropriation to improve the navigation of the Wapesipenecon and Maquoqueta Rivers," also,

A Joint Resolution, requesting our Delegate in Congress to procure an appropriation to improve the National Bridge across the Wapesipenecon River, also, to build one across the Maquoqueta River, Reported that said Committee had had the same under consideration, and instructed him to report the same without amendment, and recommend the indefinite postponement of each of the said Memorials, and ask to be discharged from the further consideration of the same.

Mr. Hepner from the Committee on enrollments, reported as correctly enrolled A bill to legalize the location of certain Territorial Roads therein named.

A bill to legalize the location of a certain Territorial Road in Washington county, also,

A Joint Resolution relative to admission into the Union.

The Speaker then signed said enrolled Bills and Resoulution.

Mr. Quinton, from a Select Committee, to which a certain petition was referred, reported, No. 116, H. R. File, "A bill for an act to locate a Territorial Road from Fairfield, in Jefferson county, to the Forks of Skunk River," which was read a first time.

On motion of Mr. Robertson,

Ordered, That the printing of Nos. 115 and 116, H. R. File, be dispensed with.

Mr. Denson, in accordance with previous notice, introduced

No. 117, H. R. File, "A bill to locate and establish a Territorial Road."

Mr. Denson, in accordance with previous notice, introduced

No. 118, H. R. File, "A bill to re-locate and re-establish a certain Territorial Road."

Said bills were each read a first time, and the printing of the same ordered to be dispensed with.

No. 62, H. R. File, "A bill for an act regulating Costs and Fees," together with the report made by the Select Committee, to which the same was referred, was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the Whole House for the consideration of said report. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Baker reported, that the Committee had, according to order, had said Report under consideration, and instructed him to report the same with sundry amendments.

On motion of Mr. Patterson,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House resumed the consideration of the Report of the Select Committee, on No. 62, H. R. File, together with said bill, as reported by the Committee of the Whole House.

And the question being put,

Will the House concur in the report of the Committee?

It was decided in the affirmative.

A slight amendment being made to said bill,

A motion was made by Mr. Biggs, that the same be engrossed and read a third time on to-morrow.

And the question being put—was determined in the affirmative.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Denson, Felkner, Grant, Hebard, Leffler, Morgan, Moss, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative, were Messrs. Baker, Blair, Booth, Campbell, Hepner, Higginson, Holliday, McCulloch, Patterson, Quinton, and Lewis, Speaker.

So the bill was ordered to be engrossed for a third reading on to-morrow.

A message from the Council by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed

No. 93, C. F. "A bill to incorporate the Brighton Exporting and Importing Company."

No. 74, C. F. "A Memorial to Congress for a Donation of Lands to establish a Seminary of Learning at West Point, in Lee County."

No. 103, C. F. "A bill requiring the Miners' Bank of Dubuque to resume, and continue, specie payment, and for the relief of the debtors to this Bank, within this Territory.

The Council have also passed, with amendments,

No. 86, H. R. File, "A bill for an act to divorce Sarah Connelly from her husband William Connelly."

No. 87, H. R. File, "A bill for an act to establish a Territorial Road from Denson's Ferry, on the Wappesipenican river, towards Dubuque."

No. 15, H. R. File, "A bill for an act to amend an act, entitled An act regulating Criminal proceedings," passed, Jan. 4, 1839.

The Council have agreed to all the amendments made by the House of Representatives to No. 89, C. F. "Joint Resolution, requesting our Delegate in Congress to use his influence with the Post-master General relative to the establishment of certain post offices," except the 23rd clause, which they have stricken out.

In all of which they ask the concurrence of the House of Representatives.

And then he withdrew.

No. 85, H. R. File, "A bill for an act to locate certain Territorial Roads," was read a second time.

On motion of Mr. Robertson,

The House resolved itself into a Committee of the whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Biggs reported, that the Committee had, according to order, had said Bill under consideration, and instructed him to report the same with one amendment.

To which the House agreed.

On motion of Mr. Robertson,

The 3rd and 4th sections of said bill were stricken out.

A motion was made by Mr. Grant, to strike out the 1st and 2nd sections of said bill.

And the question being put—was determined in the negative.

Yeas 10, Nays 15.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Grant, Holliday, Leffler, Morgan, Porter, Robertson, & Whitaker.

Those who voted in the negative, were Messrs. Booth, Denson, Felkner, Hebard, Hepner, Higginson, McCulloch, Moss, Patterson, Quinton, Smead, Toole, Weld, Wilson, and Lewis Speaker.

So the motion was lost.

On motion of Mr. Moss,

Ordered, That said bill be engrossed and read a third time on to-morrow.

The House resumed the consideration of No. 106, H. R. File, "Joint Resolution, relative to the revision of the laws."

A motion was made by Mr. Baker, that said resolution be referred to a Select Committee.

The motion was lost.

On motion of Mr. Whitaker,

Ordered, That said resolution do lie upon the table.

No. 107, H. R. File, "A bill for an act to revive the twelfth section of an act establishing certain Territorial Roads therein named," was read a second time.

On motion of Mr. Quinton,

The blank in the bill was filled with the name of "Green B. Savery,"

The bill was then ordered to be engrossed for a third reading on to-morrow.

No. 108, H. R. File, "Memorial to Congress for an appropriation to improve certain mail routes in this Territory," was read a second time.

On motion of Mr. Toole,

Ordered, That said Memorial do lie upon the table.

No. 109, H. R. File, "A bill for an act to re-locate a part of a certain Territorial Road, in Washington county," was read a second time.

On motion of Mr. Baker,

Ordered, That the said bill be referred to a Select Committee.

Messrs. Baker, Higginson, and Holliday were appointed said Committee.

Mr. Baker, on leave, presented the remonstrance of sundry citizens of Washington county, in relation to said road.

Ordered, That said remonstrance be referred to the Select Committee just appointed on the aforesaid bill.

A motion was made by Mr. Quinton, to take from the table No. 52, H. R. File, "A bill, making the Clerk of the Board of County Commissioners elective by the people."

To which the House agreed.

On motion of Mr. Quinton,

The House resolved itself into a Committee of the Whole House on on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Booth reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

A motion was made by Mr. Robertson, that said bill be engrossed for a third reading on to-morrow.

And the question being put, Shall the bill be engrossed for a third reading on to-morrow?

It was determined in the affirmative. Yeas 15, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Booth, Denson, Hepner, Holliday, McCulloch, Morgan, Moss, Quinton, Robertson, Smead, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Felkner, Grant, Hebard, Higginson, Leffler, Patterson, and Toole.

So the bill was ordered to be engrossed for a third reading on to-morrow.

No. 60, H. R. File, "A bill to amend an act, entitled An act establishing a certain Territorial Road therein named, being returned from the Council with amendments, was taken up, the same read, and severally concurred in by the House.

No. 72, H. R. File, "A bill to provide for opening and improving the National Road," being returned from the Council with an amendment was taken up, the same read, and disagreed to by the House.

No. 87, H. R. File, "A bill entitled an act establishing a Territorial Road, from Denson's Ferry, on the Wappesipenicon river, towards Dubuque," having been returned from the Council as amended, was taken up, the amendment read, and concurred in.

No. 15, H. R. File, "A bill for an act to amend an act entitled An act regulating Criminal Proceedings, being returned from the Council with sundry amendments, was taken up, and the first, second, third, fourth, and fifth amendments were severally read and disrgreed to by the House.

The sixth amendment was then read and concurred in.

No. 89, C. F. "Joint Resolution, requesting our Delegate in Congress to use his influence with the Post-master General, relative to the establishment of certain Post Offices," being returned from the Council with one of the amendments of the House disagreed to, was taken up, and being under consideration,

A motion was made by Mr. Denson, that the House insist upon the amendment.

To which the House agreed.

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa," was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

The Report of the Committee of Conference, in relation to the disagreement of the two Houses, on the amendments made to No. 28, H. R. File, was taken up and concurred in by the House.

A motion was made by Mr. Higginson, that the House do now adjourn.

And the question being put—It was determined in the negative.

Yeas 7, Nays 16.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Hepner, Higginson, Holliday, Leffler, McCulloch, Smead, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Biggs, Blair, Booth, Denson, Felkner, Grant, Hebard, Moss, Patterson, Quinton, Robertson, Toole, Weld, Whitaker, and Wilson.

So the motion to adjourn was lost.

No. 110, H. R. File, "A bill to provide for an act to incorporate an Insurance Company, at the town of Farmington, Van Buren county," was read a second time.

On motion of Mr. Weld,

Ordered, That said bill be referred to a Select Committee, to be composed of the Delegations of Van Buren and Lee counties.

No. 111, H. R. File, "A bill to amend an act to punish for trespass upon school and other lands, approved, Jan. 17, 1840," was read a second time.

On motion of Mr. Weld,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Felkner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

To which the House agreed.

A motion was made by Mr. Biggs to strike out the enacting clause of said bill.

The motion was lost.

A motion was made by Mr. Whitaker, that the House do now adjourn.

And the question being put—was determined in the negative.

Yeas 9, Nays 14.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Blair Denson, Morgan, Moss, Patterson, Robertson, Smead, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Biggs, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Quinton, Toole, Weld, and Wilson.

So the motion to adjourn was lost.

A motion was made by Mr. Buker, to strike out the 3rd section of the aforesaid bill.

And after debate,

On motion of Mr. Patterson,

The House adjourned.

Friday Morning, February 4, 1842.

On motion of Mr. Biggs,

Resolved, That a Committee of three be appointed to enquire into and report to this House, the amounts annually allowed for printing the Laws and Journals, and other incidental printing for the Legislative Assembly; and if said allowances have been made in accordance with the Resolutions of the Legislative Assembly, fixing the compensation for public printing.

Messrs. Biggs, Leffler, and Patterson, were appointed said Committee.

Mr. Hebard, from the Committee on Engrossed Bills, report Nos. 52, and 62, H. R. File, as correctly engrossed.

Mr. Smead, on leave, introduced No. 119, H. R. File, "A Joint Resolution relative to the Miners' Bank of Dubuque," which was read a first time.

Mr. Felkner, from the Committee on Incorporation, reported No. 120, H. R. File, "A bill for an act to authorize Samuel Wells to build a Dam across Skunk river."

Mr. Felkner, from the Committee on Incorporations, reported No. 121, H. R. File, "A bill for an act to authorize John R. Sloan to keep a Ferry across the Mississippi river."

Said bills were each read a first time, and the printing of the same ordered to be dispensed with.

A Message from the Council, by Mr. Woods, their Secretary—

MR. SPEAKER—The Council have indefinitely postponed

No. 96, H. R. File, "A bill for an act to re-locate the County Seat of Lee county."

The Council have passed with amendments,

No. 88, H. R. File, "A bill to provide for the appointment of an Acting Commissioner at Iowa City, defining his duties and for other purposes."

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Hepner, from the Committee on Enrollments, reported that they had presented to the Governor for his approval on the 3rd inst.,

An act to amend an act, entitled An act for opening and regulating Roads and Highways, approved Jan. 17, 1840;" and, An act to re-locate a certain part of the Territorial Road from Burlington to the mouth of the Des Moines river."

No. 105, H. R. File, "A bill for an act to change the time of holding the annual session of the Legislative Assembly," together with the report of the Committee on Territorial Affairs, recommending the indefinite postponement of the same, was taken up, and the report concurred in, and the bill indefinitely postponed.

No. 47, C. F. "A bill to amend an act entitled An act in relation to the safe custody of persons arrested for crimes and misdemeanors," was read a second time.

Ordered, That said bill be read a third time on to-morrow.

The Report of the Committee on Memorials, made on yesterday morning, was taken up and concurred in by the House.

No. 70, C. F. "A bill to make certificates of purchase of lands from any land office in this Territory evidence of title in the purchaser," was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be read a third time on to-morrow.

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute," was read a second time.

A slight amendment being made to said bill, a motion was made by Mr. Porter, that the same be engrossed for a third reading on to-morrow.

And the question being put—was determined in the affirmative,

Yeas 16, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Blair, Booth, Grant, Hebard, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Biggs, Campbell, Denson, Felkner, Hepner, Holliday, Quinton, Weld, and Whitaker.

So the bill was ordered to be engrossed for a third reading on tomorrow.

The House resumed the consideration of No. 111, H. R. File, "A bill to amend an act to punish for trespass on School and other Lands."

The motion pending on the same being to strike out the third section; which motion was, on leave, withdrawn, and,

On motion of Mr. Baker,

Ordered, That said bill be referred to a Select Committee.

Messrs. Baker, Hepner, and Whitaker, were appointed said Committee.

No. 112, H. R. File, "A bill for an act to locate and establish a Territorial Road from Crawfordsville, in Washington county, to Smith's Mills, in Henry county," was read a second time.

On motion of Mr. Smead,

Ordered, That said bill be engrossed and read a third time on tomorrow.

No. 115, H. R. File, "A bill to authorize James Leonard to establish and keep a Ferry across the Mississippi river, in Jackson county," was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be engrossed for a third reading on to-morrow.

No. 116, H. R. File, "A bill for an act to locate a Territorial Road from Fairfield, in Jefferson county, to the forks of Skunk river, in Washington county," was read a second time.

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 117, H. R. File, "A bill to locate and establish a Territorial Road," was read a second time.

Ordered, That said bill be engrossed and read a third time on Monday next.

No. 118, H. R. File, "A bill to re-locate and establish a certain Territorial Road," was read a second time.

Ordered, That said bill be engrossed and read a third time on Monday next.

No. 85, H. R. File, "A bill for an act to locate certain Territorial Roads therein named," was read a third time.

And the question being put, Shall the bill pass?

It was determined in the affirmative—Yeas 16, Nays 10.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Higginson, Holliday, McCulloch, Moss, Patterson, Quinton, Toole, Weld, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hebard, Leffler, Morgan, Porter, Robertson, Smead, and Whitaker.

So the bill passed.

Mr. Grant then asked and obtained leave to enter the following protest upon the Journal against the passage of said bill, to wit:

The undersigned protests against the passage of a bill, No. 85, H. R. File, for the following reasons:

1st. Because the bill purports to re-locate a Territorial Road running through the county of Clinton, for which there is no petition from any of the citizens of said county.

2d. Because there are only twenty-four petitioners for the re-location of said road, not one of whom resides in the county of Clinton, and there are thirty-three citizens remonstrating against the re-location of said road, of whom a considerable portion reside in the county of Clinton, and the balance of them in the county of Scott.

3d. Because the bill imposes an expenditure of money on the citizens of Clinton county for purposes entirely local, not only against the remonstrance of a portion of the citizens of said county, but that of their entire Delegation in this House.

JAMES GRANT.

No. 107, H. R. File, "A bill for an act to revive the twelfth section of an act, establishing certain Territorial Roads therein named," was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Wilson,

Ordered, That No. 100 H. R. File, "A bill for an act amendatory to the several acts of this Territory in relation to Locks in Mill Dams," be taken from the table.

The bill was then taken from the table, and,

On motion of Mr. Whitaker,

Referred to a Select Committee.

Messrs. Whitaker, Wilson, and Campbell were appointed said Committee.

No. 88, H. R. File, "A bill to provide for the appointment of an Acting Commissioner, at Iowa City, defining his duties, and for other purposes," being returned from the Council with sundry amendments, and being under consideration,

A motion was made by Mr. Patterson, to amend the amendment of the Council to the first section, by filling the blank with the name of "Chauncey Swan."

And the question being put—It was decided in the affirmative.

Yeas 14, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Robertson, Smead, Toole, and Wilson.

So the amendment of the Council was amended.

The question then being on concurring in the amendment as amended: And being put—was determined in the affirmative.

The remaining amendments were then severally read and concurred in.

Ordered, That the Clerk notify the Council accordingly.

On motion of Mr. Whitaker,

Leave of absence was granted to Mr. Quinton.

A message from the Council, by Mr. Woods, their Secretary.

Mr. Speaker—The Council have passed—

No. 76, H. R. File, "A bill for an act to incorporate the town of Davenport.

No. 73, C. F. "A bill to authorize Ransom Long to keep a Ferry across the Mississippi river, opposite Salem, in Muscatine county.

No. 97, C. F. "A bill to authorize William Milligan and Daniel Brewer, to keep a Ferry at Wapello, in Louisa county.

No. 99, C. F. "A bill for an act, authorizing James Muir, a minor, to execute a Deed to Anson L. Deming and Jesse C. Smith.

No. 100, C. F. "A bill for an act to re-locate a Territorial Road from Farmington to the southern Territorial line.

No. 101, C. F. "A bill to re-locate a part of a Territorial Road, in Jefferson County.

They have passed, with amendments—

No. 84, H. R. File, "A bill for an act to divorce Sarah Wilson from her husband, John Wilson.

No. 63, H. R. File, "A bill for an act defining the jurisdiction of the Supreme and District Courts.

No. 10, H. R. File, "A bill to authorize William Smith and Vincent G. Smith, to keep a Ferry across the Mississippi river, in Jackson county.

No. 103, H. R. File, "A bill to divorce Nicey Hull from her husband, C. C. Hull.

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

Bills, &c., from the Council, of the following titles, to wit:

No. 74, C. F. "A Memorial for a donation of lands, to establish a Seminary of Learning at West Point in Lee county."

No. 76, "A bill concerning Oaths and Affidavits."

No. 83, "A bill to incorporate the Cedar Rapids Manufacturing Company;" and,

No. 90, "A Memorial to Congress for the relief of Jeremiah Smith, Jr.," were severally read a first time.

A motion was made by Mr. Weld that the House do now adjourn.

And the question being put—was determined in the affirmative.

Yeas 17, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Campbell, Denson, Hebard, Higginson, Holliday, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Booth, Felkner, Grant, Hepner, Leffler, and Toole.

So the House adjourned.

Saturday Morning, February 5, 1842.

Mr. Booth presented the petition of 200 citizens of Dubuque county, in relation to a Territorial Road from Dubuque to Fort Atkinson.

Ordered, That said petition be referred to a Select Committee.

The Speaker appointed Messrs. Booth, Hepner, and Hebard said Committee.

Mr. Biggs offered the following:

Resolved, That the following per diem be allowed the officers of this House, to be paid by the Secretary of the Territory, on the certificates of the Speaker:—Chief Clerk, four dollars; Assistant Clerk, three dollars; Sergeant-at-Arms, three dollars; Enrolling, Engrossing, and Recording Clerks, two dollars and fifty cents each; Door-keeper and Fireman, two dollars and fifty cents each; Assistant Messenger and Assistant Door-keeper, two dollars each.

On motion of Mr. Porter,

Ordered, That said Resolution do lie upon the table.

Mr. Leffler, from the Committee on the Judiciary, to which was referred No. 73, H. R. File, "A bill creating a permrnent School fund, and for other purposes," reported the same back with amendments.

Mr. Higginson, from the Committee on Expenditures, to which was referred the claim, and resolution authoring the payment of the same, of John H. McKenny, submitted a report, and recommended the indefinite postponement of the subject.

Mr. Whitaker, from the Committee appointed to examine the recording of the Journal, reported the same to be correct up to February 3rd, 1842.

Mr. Whitaker, from the Select Committee, to which the same was referred, reported No. 100, H. R. File, "A bill for an act amendatory to the several acts in relation to Locks in Mill Dams," back to the House with amendments.

Mr. Denson, from the Select Committee, to which was referred No. 90, H. R. File, reported No. 122, H. R. File, "A Bill for an act amendatory to an act, subjecting Real and Personal Estate to execution," which was read a 1st time.

Mr. Hepner, from the Committee on Memorials, to which was referred No. 114, H. R. File, "A Memorial to Congress, relative to the contiguous sections of Land to Iowa City," reported the same back to the House without amendment.

Mr. Grant gave notice, that he would, on some future day, introduce a bill to incorporate a Bank in Davenport, Scott county.

Mr. Weld, from the Select Committee, to which was referred No. 110, H. R. File, "A bill to provide for an act to incorporate an Insurance Company, at Farmington, in Van Buren county," reported the same back with sundry amendments.

Mr. Hebard, from the Committee on Engrossed Bills, reported Nos. 115, 117, and 118, H. R. File, as correctly engrossed.

Mr. Felkner, from a Select Committee, to which was referred a certain petition, reported No. 123, H. R. File, "A bill for an act to divorce Seth Baker from his wife Sally Baker," which was read a first time, and the printing dispensed with.

Mr. Hepner, from the Committee on Memorials, to which was referred a petition in relation to the improvement of Turkey River, and also, one in relation to the building of a bridge across Skunk River, reported the same back to the House without any action on the same.

Ordered, That the same do lie upon the table.

Mr. Hepner, from the Committee on Memorials to which was referred No. 27, C. F. "Memorial, for the establishment of a Land Office at Marion, in Linn county.

No. 36, C. F. "Memorial for the establishment of a Land Office at Fairfield, in Jefferson county;" and,

No. 55, H. R. File, "A Memorial for a new Land District," reported the same back to the House without amendment.

Mr. Grant asked and obtained leave to withdraw from the House the petition of sundry citizens of Davenport, asking the incorporation of a company to construct a Canal around the Upper Rapids, in the Mississippi river.

Mr. Denson, in accordance with previous notice, introduced No. 124,

H. R. File, "A Bill to locate the seat of justice of the county of Buchanan," which was read a first time, and the printing of the same dispensed with.

Mr. Denson, on leave, reported No. 125, H. R. File, "A bill for an act amendatory to an act, regulating Mills and Millers," which was read a first time.

No. 74, C. F. "A Memorial to Congress for a Donation of Lands to establish a Seminary of Learning at West Point, in Lee County." was read a second time.

A motion was made by Mr Patterson, that said Memorial be read a third time on Monday next.

Pending which,

A motion was made by Mr. Toole, to refer said Memorial to the Committee on Memorials.

And the question being put—was determined in the negative.

Yeas 11, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Denson, Felkner, Grant, Morgan, Moss, Porter, Smead, Toole, and Whitaker.

Those who voted in the negative, were Messrs. Campbell, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Patterson, Robertson, Weld, Wilson, and Lewis, Speaker.

So the motion to commit was lost.

The question then recurring on the motion made by Mr. Patterson, that said Memorial be read a third time on Monday next.

And being put—Was determined in the affirmative.

No. 76, C. F. "A bill concerning Oaths and Affidavits," was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be read a third time on Monday next.

A Message from the Council by Mr. Woods their Secretary:

Mr. Speaker:—The Council have receded from their first and sixth amendments to No. 15, H. R. File, "A bill for an act to amend an act entitled An act regulating Criminal Proceedings," and insist on their fourth, fifth, and tenth, and have appointed Messrs. Hastings, Johnson, and Springer a Committee of Conference on the part of the Council, in relatiion to said disagreement.

The Council insist on their amendments made to No 72, H. R. File, "A bill to provide for opening and improving the National Road."

And also to their disagreement to the amendment by the House of Representatives to No. 89, C. F. "Joint Resolution requesting our Delegate in Congress to use his influence with the Post-master General for the establishment of certain Post Offices."

And then he withdrew.

No. 83, C. F. "A bill to incorporate the Cedar Rapids Manufactoring Company," was read a second time.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. Grant reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with amendments.

To which the House agreed.

A motion was made by Mr. Higginson, that said bill be read a third time on Monday next.

And the question being put—Was determined in the negative.

Yeas 12, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell. Denson, Higginson, Leffler, McCulloch, Patterson, Porter, Robertson, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Felkner, Grant, Hebard, Hepner, Holliday, Morgan, Moss, Smead, Weld, and Whitaker.

So the motion was lost.

On motion of Mr. Higginson,

Ordered, That said bill be committed to the Committee on Incorporations.

Bills, &c., of the following titles, to wit:

No. 90, C. F. "A Memorial to Congress for the relief of Jeremiah Smith, Jr."

No. 120, H. R. File, "A bill for an act to authorize Samuel Wells to build a Dam across Skunk River;" and,

No. 121, H. R. File, "A bill for an act to authorize John R. Sloan te keep a Ferry across the Mississippi River;"

Were severally read a second time, and each ordered to be read a third time on Monday next.

No. 10, H. R. File, "A bill to authorize William Smith and Vincent G. Smith, to keep a Ferry across the Mississippi River, in Jackson county," having been returned from the Council with amendments, was taken up, the same read, and concurred in.

No. 63, H. R. File, "A bill for an act defining the jurisdiction of the Supreme and District Courts," being under consideration, as returned with amendments from the Council;

On motion, The same was concurred in by the House.

Bills from the Council of the following titles, to wit:

No. 73. A bill to authorize Ransom Long to keep a Ferry across the Mississippi River.

No. 93. A bill to incorporate the Brighton Exporting and Importing Company."

No. 97. A bill to authorize Wm. Millegan and Daniel Brewer, to keep a Ferry at Wappello, in Louisa county.

No. 99. A bill for an act authorizing James Muir, a minor, to execute a Deed to Anson L. Deming and Jesse C. Smith.

No. 100. A bill for an act to re-locate a Territorial Road from Farmington to the southern boundary line.

No. 101. A bill to re-locate a part of a Territorial Road in Jefferson county; and,

No. 103. A bill requiring the Miners' Bank of Dubuque to resume, and continue specie payment, and for the relief of the debtors to the bank;

Were severally read a first time.

A motion was made by Mr. Grant, that there be a Committee of Conference appointed to confer with a similar Committee on the part of the Council in relation to the disagreement of the two Houses on No. 15, H. R. File, "A bill for an act to amend an act regulating Criminal Proceedings."

To which the House agreed.

Messrs. Grant, Leffler, and Hepner, were appointed said Committee.

No. 72, H. R. File, "A bill to provide for opening and improving the National Road," having been returned from the Council with their amendment insisted upon, and being under consideration,

A motion was made, that the House recede from their disagreement.

And the question being put—Was determined in the affirmative.

No. 89, C. F. "Joint Resolution, requesting our Delegate in Congress to use his influence with the Post-master General for the establishment of certain Post Offices," having been returned from the Council with their disagreement to the amendment of the House of Representatives insisted upon, and being consideration,

A motion was made, that the House do recede from their amendment.

To which the House agreed.

Bills of the following titles, to wit:

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute;"

No. 52, H. R. File, "A bill making the Clerk of the Board of Commissioners elective by the people;"

No. 112, H. R. File, "A bill for an act to locate and establish a Territorial Road from Crawfordsville, in Washington county, to Smith's mills, in Henry county;"

No. 115, H. R. File, "A bill for an act to authorize James Leonard to establish and keep a Ferry across the Mississippi river, in Jackson county;"

No. 116, H. R. File, "A bill to locate a Road from Fairfield to the forks of Skunk River;"

No. 117, H. R. File, "A bill to locate and establish a Territorial Road from William Clark's to Marion;"

No. 118, H. R. File, "A bill to re-locate and establish a Territorial Road from Marion to Ead's Grove;"

No. 70, C. F., "A bill to make certificates of purchase of Lands from any Land Office in this Territory evidence of title in the purchaser;"

Were severally reada third time passed and their titles agreed to.

Ordered, That the Clerk notify the Council accordingly.

No. 62, H. R. File, "A bill for an act to amend an act concerning Costs and Fees," was read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative. Yeas 15, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Denson, Felkner, Grant, Hebard, Leffler, Moss, Patterson, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative were, Messrs. Booth, Campbell, Hepner, Higginson, Holliday, McCulloch, and Lewis, Speaker.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 47, C. F. "A bill to amend an act entitled An act in relation to the safe custody of persons arrested for Crimes and Misdemeanors," was read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 14, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Booth, Felkner, Hebard, Higginson, Holliday, Leffler, Patterson, Robertson, Smead, Weld, Whitaker, and Wilson.

Those who voted in the negative, were Messrs. Campbell, Denson, Grant, Hepner, McCulloch, Moss, Toole, and Lewis, Speaker.

So the bill passed, and title was agreed to.

Ordered, That the Clerk notify the Council accordingly.

On motion of Mr. Biggs,

Leave of absence was granted to Mr. Baker until Wednesday next.

Mr. Hepner, from the Committee on Enrollments, reported as correctly enrolled—

"An act to amend an act, organizing a Board of County Commissioners in each county."

"An act to divorce Sarah Connelly from her husband, William Connelly."

"An act to locate and establish a Territorial Road from Denson's Ferry on the Wappesipenicon river, towards Dubuque."

"A Joint Resolution relative to admission into the Union;" and,

"An act to amend an act entitled "an act establishing a certain Territorial Road therein named.

The Speaker then signed said acts and resolutions.

On motion of Mr. Toole,

The House adjourned.

Monday Morning, February 7, 1842.

A message from the Council by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed

No. 41, C. F. "A bill to revive and amend an act, to incorporate the Bloomington Insurance Company, approved, Jan. 13, 1842."

No. 85, C. F., "A bill to amend an act concerning Writs of Attachment."

No. 105, C. F., "A bill to authorize William Smith to construct a Dam across the Des Moines river, in Lee county."

No. 108, C. F., "A bill to incorporate the first Presbyterian Church of Fort Madison.

No. 111, C. F. "A bill to incorporate the first Methodist Episcopal Church at Marion."

No. 77, H. R. File, "A bill for an act for the encouragement of Agriculture."

No. 93, H. R. File, "A bill for an act to revive and establish a part of the Territorial Road from Keokuk, in Lee county, to Iowaville, on the Des Moines river."

No. 104, H. R. File, "A bill to authorize the County Commissioners of Delaware county, to pay Wm. Smith, sen'r., Wm. Jonas, and Thomas Denson for services as Commissioners to locate the county seat of said county."

No. 107, H. R. File, "A bill for an act to revive the twelfth section of an act establishing certain Territorial Roads therein named."

They have also passed, with amendments,

No. 83, H. R. File, "A bill to locate and establish a Territorial Road from Marion, in Linn county, to the Indian boundary, in Benton county;" and,

No. 89, H. R. File, "A bill for an act to authorize William Pickerel and others to construct, keep, and maintain a Dam across Skunk river."

The Council have amended the amendment of the House of Representatives to

No. 88, H. R. File, "A bill to provide for the appointment of an Acting Commissioner at Iowa City, defining his duties, and for other purposes," by striking out the name of Chancey Swan, and inserting the name of Walter Butler.

They have also passed

No. 43, H. R. File, "A bill to amend an act to District the Territory of Iowa into Electoral Districts."

And have indefinitely postponed

No. 33, H. R. File, "A bill for the incorporation of Religious Societies."

In all of which they ask the concurrence of the House of Representatives.

And then he withdrew.

Mr. Toole presented the petition of sundry citizens of the counties of Des Moines and Louisa, praying that a certain portion of Des Moines county may be attached to Louisa county.

Ordered, That said petition be referred to the Committee on Townships and county boundaries.

On motion of Mr. Smead,

Ordered, That the Chief Clerk be directed to make up the per diem accounts of this House from the 6th December until the 18th inst., inclusive.

Mr. Grant, in accordance with previous, introduced

No. 126, H. R. File, "A bill to establish a Bank in the town of Davenport," which was read a first time by its title.

A motion was made by Mr. Leffler, that said bill be rejected.

And the question being put—was determined in the affirmative.

Yeas 21, Nays 2.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Higginson, and Robertson.

So the bill was rejected.

Mr. Hepner, from the Committee on Enrolled Bills, reported as correctly enrolled.

An act to divorce Sarah Wilson from her husband John Wilson;

An act to divorce Nicey Hull from her husband Charles C. Hull; and

An act to provide for opening and improving the National Road.

The Speaker then signed said entitled acts.

Mr. Booth, from the Committee to which was referred a c[illegible] petition, reported No. 127, H. R. File, "A bill to repeal a por[illegible]f an act to locate and establish a Territorial Road from Dubuque to Camp Atkinson," which was read a first time.

Mr. Toole, from the Select Committee to which was referred No. 17, C. F. "A bill to change the time of holding the District Court in the Second Judicial District," reported the same back to the House with one amendment.

Mr. Patterson, on leave, introduced No. 128, H. R. File, "A Joint Resolution, abolishing the office of Territorial Agent, and for other purposes," which was read a first time.

The House resumed the consideration of the report of the Committee on Expenditures, relative to the claim of John H. McKenny; and,

On motion of Mr. Patterson,

Ordered, That said report do lie upon the table.

No. 55, H. R. File, "A Memorial to Congress for a new Land District," was read a second time.

On motion of Mr. Felkner,

Ordered, That said memorial be engrossed, and read a third time on to-morrow.

No. 73, H. R. File, "A bill creating a permanent School Fund, and for other purposes," was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be engrossed for a third reading on to morrow.

No. 100, H. R. File, "A bill for an act amendatory to the several acts of this Territory in relation to Locks in Mill Dams," was read a second time.

On motion of Mr. Biggs,

A slight amendment was made to the 1st section of said bill.

The same was then ordered to be engrossed for a third reading on to-morrow.

No. 110, H. R. File, "A bill for an act to incorporate an Insurance Company at the town of Farmington, in Van Buren county," was read a second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hebard reported, that the Committee had. according to order, had said bill under consideration, and instructed him to report the same with two amendments.

A motion was made by Mr. Biggs, that the House disagree to the 1st amendment.

The motion was lost.

A motion was made by Mr. Weld, that the House disagree to the second amendment.

And the question being put—Was determined in the negative.

So the report of the Committee was concurred in.

A motion was made by Mr. Hepner, to amend said bill, by striking out of the last section the words "for any fraud or abuse of any of the provisions herein contained.

And the question being put—was determined in the negative.

Yeas 5, Nays 19.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative were, Messrs. Felkner, Grant, Hepner, Morgan, and Smead.

Those who voted in the negative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Hebard, Higginson, Holliday, Leffler, McCulloch, Moss, Patterson, Porter, Robertson, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the motion was lost.

On motion of Mr. Weld,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

No. 114, H. R. File, "Memorial to Congress, relative to the contiguous sections of Land to Iowa City," was read a second time.

On motion of Mr. Moss,

The House resolved itself into a Committee of the Whole House for the consideration of said Memorial. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said Memorial under consideration, and instructed him to report the same with one amendment.

To which the House agreed.

On motion of Mr. Hebard,

Ordered, That said Memorial be referred to the Committee on the Judiciary, with instructions that the same be reported back on to-morrow morning.

No. 119, H. R. File, "Joint Resolution requiring the Miners' Bank of Dubuque to stop its discounts and issues while it continues to suspend specie payment," was read a second time.

On motion of Mr. Robertson,

Ordered, That said resolution be engrossed and read a third time on to-morrow.

No. 122, H. R. File, "A bill for an act to amend an act, subjecting Real and Personal estate to execution, approved, January 25, 1839," was read a second time.

A motion was made by Mr. Weld, that said bill be indefinitely postponed.

And the question being put—was determined in the affirmative.

Yeas 16, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Campbell, Grant, Hebard, Hepner, Leffler, Morgan, Moss, Patterson, Porter, Robertson, Smead, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Booth, Denson, Felkner, Higginson, Holliday, McCulloch, Toole, and Lewis, Speaker.

So the bill was indefinitely postponed.

No. 90, H. R. File, "A bill to provide for an act supplementary to an act, subjecting Real and Personal estate to execution," was read a second time.

A motion was made by Mr. Porter, that said bill be indefinitely postponed.

And the question being put—Was decided in the affirmative.

Yeas 13, Nays 11.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Blair, Booth, Felkner, Grant, Hebard, Hepner, Leffler, Morgan, Patterson, Porter, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Campbell, Denson, Higginson, Holliday, McCulloch, Moss, Robertson, Toole, Weld, and Whitaker.

So the bill was indefinitely postponed.

No. 123, H. R. File, "A bill for an act to divorce Seth Baker from his wife Sally Baker," was read a second time.

A motion was made by Mr. Morgan, to refer said bill to a Committee of the Whole House.

The motion was lost.

On motion of Mr. Felkner,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

A Message from the Council by Mr. Woods their Secretary:

MR. SPEAKER:—The Council have passed—

No. 98, C. F. "A bill for an act to incorporate the first Methodist Episcopal Church of Fort Madison.

No. 106, C. F. "A bill relative to the survey of the town of Marion."

The Council have passed, with amendments,

No. 99, H. R. File, "A bill for an act to re-locate a part of a Territorial Road from Farmington to Dubuque."

They have concurred in the amendments made by the House of Representatives to Nos. 47 and 70, C. F.

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

No. 124, H. R. File, "A bill to locate the seat of justice in and for the county of Buchanan," was read a second time.

On motion of Mr. Denson,

Ordered, That said bill be engrossed, and read a third time on to-morrow.

No. 125, H. R. File, "A bill for an act amendatory to an act, regulating Mills and Millers," was read a second time.

On motion of Mr. Whitaker,

The House resolved itself into a Committee of the whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Leffler reported, that the Committee had, according to order, had said Bill under consideration, and instructed him to report the same with amendments.

A motion was made by Mr. Felkner, that said bill be indefinitely postponed.

And the question being put—was determined in the affirmative.

No. 27, C. F. "Memorial to Congress for the establishment of a Land Office at Marion, in Linn county," was read a second time.

On motion of Mr. Higginson,

Ordered, That said Memorial do lie upon the table.

No. 36, C. F. "Memorial to Congress for the establishment of a Land Office at Fairfield, in Jefferson county," was a second time.

On motion of Mr. Hepner,

Ordered, That said Memorial do lie upon the table.

No. 73, C. F. "A bill to authorize Ransom Long to keep a Ferry across the Mississippi river," was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be read a third time on to-morrow.

No. 93, C. F. "A bill to incorporate the Brighton Exporting and Importing Company," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill do lie upon the table until Monday next.

No. 97, C. F. "A bill to authorize William Milligan and Daniel Brewer to keep a Ferry at Wapello, in Louisa county," was read a second time.

On motion of Mr. Toole,

Ordered, That said bill be referred to the Committee on Incorporations.

No. 99, C. F. "A bill for an act authorizing James Muier, a minor, to execute a Deed to Anson L. Deming and Jesse C. Smith," was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be read a third time on to-morrow.

No. 100. C. F. "A bill for an act to re-locate a Territorial Road from Farmington to the southern boundary line," was read a second time.

On motion of Mr. Biggs,

Ordered, That said bill be read a third time on to-morrow.

No. 101. C. F. "A bill to re-locate a part of a Territorial Road in Jefferson county." was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill be read a third time on to-morrow.

No. 103. C. F. "A bill requiring the Miners' Bank of Dubuque to resume, and continue specie payment, and for the relief of the debtors to the Bank, within this Territory," was read a second time.

On motion of Mr. Grant,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

The question was then put,

Will the House agree to the amendments made by the Committee of the Whole House to the 1st section of said bill?

It was determined in the negative—Yeas 7, Nays 16.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Campbell, Denson, Grant, Hepner, Holliday, Weld, and Whitaker.

Those who voted in the negative, were Messrs. Biggs, Blair, Booth, Felkner, Hebard, Higginson, Leffler, McCulloch, Morgan, Moss, Paterson, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

The remaining amendments were severally read and concurred in.

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table.

Bills, &c., of the following titles, to wit:

No. 120, H. R. File, "A bill for an act to authorize Samuel Wells to build a Dam across Skunk River."

No. 121, H. R. File, "A bill for an act to authorize John R. Sloan to keep a Ferry across the Mississippi river."

No. 74, C. F. "A Memorial for a donation of lands, to establish a Seminary of Learning at West Point, in Lee county."

No. 76, C. F. "A bill concerning Oaths and Affidavits."

No. 90, C. F. "A Memorial to Congress for the relief of Jeremiah Smith, Jr.;

Were severally read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 83, H. R. File, "A bill to establish a Territorial Road from Marion, in Linn county, to the Indian boundary line, in Benton county," having been returned from the Council with amendments, was taken up, the same read, and concurred in.

No. 88, H. R. File, "A Bill for an act appointing an Acting Commissioner at Iowa City, defining his duties, and for other purposes," having been returned from the Council with the amendment of the House amended, was taken up, and their amendment concurred in.

No. 89, H. R. File, "A bill for an act to authorize William Pickerel and others, to construct, keep, and maintain, a Dam across Skunk river," being returned with amendments from the Council, was taken up, and the same read and concurred in by the House.

No. 99, H. R. File, "A bill for an act to locate a Territorial Road from Farmington to Dubuque," being returned from the Council with amendments, was taken up, the same read, and concurred in.

Bills from the Council, of the following titles, to wit:

No. 41, "A bill to revive and amend an act to incorporate the Bloomington Insurance Company, approved, Jan. 13, 1840.'

No. 87, "A bill to amend an act concerning Writs of Attachment."

No. 98, "A bill for an act to Incorporate the First Methodist Episcopal Church of Fort Madison."

No. 105, "A bill to authorize William Smith to construct a Dam across the Des Moines river, in Lee county;"

No. 106, "A bill relative to the survey of the town of Marion."

No. 108, "A bill for an act to incorporate the First Presbyterian Church of Fort Madison."

No. 111, "A bill to incorporate the First Methodist Episcopal Church at Marion;"

Were each read a first time.

On motion of Mr. Smead,

The House adjourned.

Tuesday Morning, February 8, 1842.

Mr. Felkner presented the claim of N. Jackson, editor of the "Iowa City Argus," for certain printing, and for newspapers furnished the members of this House during the present session.

Ordered, That said claim be referred to the Committee on Claims.

Mr. Felkner presented the account of the Post-master in this city for postage on letters and documents sent to and from the House of Representatives during the present session.

Ordered, That said account be referred to the Committee on Claims.

On motion of Mr. Whitaker,

Ordered, That no business of a general nature be introduced into this House after the 9th inst., and none of a local nature after the 14th inst.

Mr. Grant being in the Chair, officiating as Speaker,

Mr. Felkner offered the following:

Resolved, That the Hon. Warner Lewis be allowed the sum of three dollars per day, as Speaker of this House, during the present session.

And the question being put, Shall the Resolution pass?

It passed in the affirmative.

Mr. Robertson, from the Committee on Territorial and County Boundaries, submitted a Report in relation to a certain petition referred to that Committee on yesterday, asking the addition of a portion of Des Moines county to the county of Louisa; which report was adverse to the prayers of the petitioners.

The Report was concurred in.

Mr. Hepner, from the Committee on Enrollments, reported, that they had presented to the Governor, for his approval, on the 8th inst.

"An act to divorce Sarah Connelly from her husband, William Connelly;"

"An act to amend an act organizing a Board of County Commissioners in each county;"

"An act to amend an act, entitled An act establishing a certain Territorial Road therein named;"

"An act to locate and established a Territorial Road from Denson's Ferry, on the Wappesipenicon river, towards Dubuque;"

"Joint Resolution, relative to admission in the Union;"

"An act to divorce Sarah Wilson from her husband, John Wilson;"

"An act to provide for opening and improving the Military Road;"

And "An act to divorce Nicey Hull from her husband, Charles C. Hull."

Mr. Patterson, from the Committee of Conference, appointed to confer with a similar Committee on the part of the Council, on the subject of the disagreements to No. 25, H. R. File, "A bill to provide for levying a tax on real and personal property for road purposes," reported, that the Committee on the part of the Council have agreed to recede from the amendments of the Council to said bill.

The report was concurred in.

Mr. Hebard, from the Committee on Engrossed Bills, reported as correctly engrossed, Nos. 100, 110, and 124, H. R. File.

Mr. Morgan, from the Committee on the Judiciary, to which the same was referred, reported No. 114, H. R File, "Memorial to Congress relative to the contiguous sections of land to Iowa City" back to the House with amendments.

Mr. Hebard, from the Committee appointed to examine the laws relative to the organization of Townships, reported No. 129, H. R. File, "A bill for an act for the organization of Townships," which was read a first time by its title.

Mr. Denson, on leave, introduced No. 130, H. R. File, "A bill for an act to amend an act subjecting Real and Personal estate to execution," which was read a first time.

A motion was made by Mr. Robertson, to dispense with the printing of said bill.

And the question being put—Was determined in the affirmative.
Yeas 12, Nays 10.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Blair, Felkner, Grant, Hebard, Holliday, Leffler, Moss, Porter, Robertson, Smead, Toole, and Whitaker.

Those who voted in the negative were, Messrs. Biggs, Campbell, Denson, Hepner, Higginson, McCulloch, Morgan, Patterson, Weld, and Wilson.

So the printing was dispensed with.

A motion was made by Mr. Porter, to take from the table the resolution relative to the per diem pay of the officers of this House, offered by Mr. Biggs a few days since.

To which the House agreed.

Mr. Porter then offered the following as a substitute therefor, to wit:

Resolved, That the following per diem be allowed the officers of this House, to be paid by the Secretary of the Territory, on the certificate of the Speaker:—Chief Clerk, four dollars; Assistant Clerk, three dollars; Sergeant-at-Arms, three dollars; Enrolling, Engrossing, and Recording Clerks, three dollars each; Door-keeper and Assistant, three dollars each; Messenger and Assistant Messenger, three dollars each; and fireman, three dollars.

A motion was made by Mr. Hepner, to amend the substitute, by striking out the word "four" and inserting the word "six," so as to allow the Chief Clerk six dollars per day.

And the question being put—Was determined in the affirmative.

Yeas 12, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Campbell. Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the substitute was so amended.

A motion was made by Mr. Campbell, to amend the substitute further, by striking out the word "three," and inserting the word "five," so as to allow the Assistant Clerk five dollars per diem.

And the question being put—was determined in the affirmative.

Yeas 14, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Toole, and Wilson.

So the substitute was so amended.

A motion was then made by Mr. Porter to refer said resolution to the Committee on Claims.

And the question being put—Was determined in the negative.

Yeas 7, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Grant, Higginson, Moss, Porter, Robertson, Toole, and Wilson.

Those who voted in the negative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

So the motion was lost.

The question then recurring on the adoption of the substitute:

And being put—was determined in the negative—Yeas 11, Nays 13.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs Booth, Campbell, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were Messrs. Biggs, Blair, Denson, Grant, Hebard, Higginson, Moss, Patterson, Porter, Robertson, Smead, Toole, and Wilson.

So the substitute was lost.

The question then recurring on the original resolution,

Mr. Biggs moved to amend the same by inserting the word "Messenger."

To which the House agreed.

A motion was made by Mr. Porter, to further amend, so as to allow all the officers under the Chief Clerk, three dollars per diem.

To which the House agreed.

A motion was then made by Mr. Hepner, to amend the resolution by striking out the word "four," and inserting the word "six," so as to allow the Chief Clerk six dollars per diem.

And the question being put—Was determined in the affirmative.

Yeas 14, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Toole, and Wilson.

So the amendment was agreed to.

A motion was then made by Mr. Hepner to strike out the word "three" and insert the word "five" so as to allow the Assistant Clerk five dollars per diem.

And the question being put—It was decided in the affirmative.

Yeas 14, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Toole, and Wilson.

So the resolution was so amended.

The question then being put, Will the House adopt the resolution as amended? It was decided in the affirmative.

Yeas 14, Nays 10.

The Yeas and Nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Smead, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Toole, and Wilson.

So the resolution was adopted as worded, in the following manner, to wit:

Resolved, That the following *per diem* be allowed the officers of this House, to be paid by the Secretary of the Territory, on the certificates of the Speaker:—Chief Clerk, six dollars; Assistant Clerk, five dollars; Sergeant-at-Arms, Enrolling, Engrossing, and Recording Clerks; Door-keeper, Assistant Door-keeper, Messenger, Assistant Messenger, and Fireman, three dollars each.

On motion

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

No. 17, C. F. "A bill to change the time of holding the District Court in the Second Judicial District," was read a second time.

On motion of Mr. Robertson,

Ordered, That said bill be read a third time on to-morrow.

No. 41, C. F., "A bill to revive and amend an act to incorporate the Bloomington Insurance Company," approved, January 13, 1840, was read a second time.

On motion of Mr. Moss,

Ordered, That said bill be laid upon the table until to-morrow.

No. 87, C. F. "A bill to amend an act concerning Writs of Attachment," was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 98, C. F. "A bill for an act to incorporate the First Methodist Episcopal Church of Fort Madison," was read a second time.

A motion was made by Mr. Weld, that said bill be indefinitely postponed.

And the question being put—was determined in the negative.

Yeas 11, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Denson, Grant, Hebard, Hepner, Holliday, Leffler, Morgan, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Booth, Campbell, Felkner, Higginson, McCulloch, Moss, Patterson, Porter, Robertson, Smead, and Wilson.

So the motion to postpone was lost.

On motion of Mr. Weld,

Ordered, That said bill do lie upon the table.

No. 105, C. F. "A bill to authorize William Smith to construct a Dam across the Des Moines river," was read a second time.

A motion was made by Mr. Patterson, that said bill be read a third time on to-morrow. Pending which,

A motion was made by Mr. Biggs, that said bill be indefinitely postponed.

And the question being put—Was determined in the affirmative.

No. 106, C. F. "A bill relative to the survey of the town of Marion," was read a second time.

On motion of Mr. Denson,

Ordered, That said bill be read a third time on to-morrow.

No. 108, C. F. "A bill for an act to incorporate the First Presbyterian Church of Fort Madison," was read a second time.

On motion of Mr. Hepner,

Ordered, That said bill do lie upon the table.

No. 111, C. F. "A bill to incorporate the First Methodist Episcopal Church at Marion," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill do lie upon the table.

No. 127, H. R. File, "A bil for an act repealing a portion of an act to locate and establish a Territorial Road from Dubuque to Camp Atkinson," approved Jan. 13, 1841, was read a second time.

On motion of Mr. Booth,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 128, H. R. File, "Joint Resolution, abolishing the office of Territorial Agent, and for other purposes," was read a second time.

A motion was made by Mr. Moss, to refer said resolutian to a Committee of the Whole House.

The motion was lost.

On motion of Mr. Felkner,

Ordered, That said resolution be laid upon the table.

A message from the Council, by Mr. Woods, their Secretary.

Mr. Speaker—The Council have passed—

No. 40, C. F. "A bill to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate;"

No. 79, C. F. "A bill amendatory of an act to regulate Ferries, approved, December 20, 1838."

No. 86, C. F. "A bill for an act to amend an act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and regulate their proceedings."

No. 96, C. F. "A bill to incorporate the City of Keosauqua;"

No. 110, C. F. "A bill to incorporate the Vestry of Trinity Parish, Davenport;"

No. 112, C. F. "A bill to authorize David G. Bates and John Forbes to keep a Ferry across the Mississippi river, in Jackson county;"

No. 118, C. F. "A bill for an act to divorce John E. Ely from Minerva Ely, his wife."

Thu Council have receded from their amendments made to No. 25, H. R. File, "A bill for an act to provide for levying a Tax for Road purposes."

I herewith present for your signature, two enrolled bills and a Joint Resolution.

And then he withdrew.

The Speaker then signed said acts and resolution.

No. 55, H. R. File, "A Memorial for a new Land District," and,

No. 73, H. R. File, A bill creating a permanent School Fund, and for other purposes,', were each read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 100, H. R. File, "A bill for an act amendatory to the several acts in relation to Locks in Mill Dams," was read a third time.

And the question being put, Shall the bill pass?

It passed in the negative—Yeas 6, Nays 18.

Those who voted in the affirmative were, Messrs. Denson Grant, Porter, Smead, Toole, and Wilson.

Those who voted in the negative, were Messrs. Biggs, Blair, Booth, Campbell, Felkner, Hebard, Hepner,. Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Robertson, Weld, Whitaker, and Lewis, Speaker.

So the bill was lost.

No. 110, H. R. File, "A bill for an act to incorporate an Insurance Company at Farmington, in Van Buren county," was read a third time, and the question being put, Shall the bill pass?

It was determined in the negative—Yeas 12, Nays 12.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Biggs, Booth, Campbell, Higginson, Holliday, McCulloch, Patterson, Robertson, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Blair, Denson, Felkner, Grant, Hebard, Hepner, Leffler, Morgan, Moss, Porter, Smead, and Wilson.

So the bill was lost.

No. 119 H. R. File, "Joint Resolution, requiring the Miners' Bank of Dubuque to stop its discounts and issues while it continues to suspend specie payment," was read a third time.

And the question being put on its passage,

It passed in the affirmative—Yeas 18, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Campbell, Denson, Felkner, Grant, Hebard, Holliday, Leffler, Moss, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Booth, Hepner, Higginson, McCulloch, Morgan, and Lewis, Speaker.

So the bill passed, and its title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 123, H. R. File, "A bill for an act to divorce Seth Baker from Sally Baker," was read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 15, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Campbell, Denson, Felkner, Hebard, Hepner, Leffler, McCulloch, Patterson, Porter, Robertson, Smead, Toole. Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Higginson, Holliday, Morgan, Moss, Weld, and Wilson.

So the bill passed, and its title agreed to.

Ordered, That the Clerk acquaint the Council accordingly.

Bills of the following titles, to wit:

No. 124, H. R. File, "A bill to locate the Seat of Justice in and for the county of Buchanan;"

No. 73, C. F. "A bill to authorize Ransom Long to keep a Ferry across the Mississippi river, opposite Salem, in Muscatine county;"

No. 99, C. F. "A bill for an act, authorizing James Muir, a minor, to execute a Deed to Anson L. Deming and Jesse C. Smith."

No. 100, C. F. "A bill for an act to re-locate a Territorial Road from Farmington to the Southern Territorial line;" and,

No. 101. C. F. "A bill to re-locate a part of a Territorial Road in Jefferson county."

Were severally read a third time, and passed.

Ordered, That the Clerk notify the Council accordingly.

Bills from the Council, of the following titles, to wit:

No. 40, "A bill to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate;"

No. 79, A bill amendatory of an act to regulate Ferries," approved December 20, 1838.

No. 86, A bill for an act to amend an act to provide for the appointment of Justices of the Peace, to prescribe their powers and duties, and regulate their proceedings;"

No. 96, "A bill to incorporate the city of Keosauque;"

No. 110, "A bill to incorporate the Vestry of Trinity Parish, Davenport;"

No. 112, "A bill to authorize David G. Bates and John Forbes to keep a Ferry across the Mississippi river, in Jackson, county;" and

No. 118, "A bill for an act to divorce John E. Ely from Minerva Ely;" were severally read a first time.

On motion of Mr. Smead,

The House adjourned.

Wednesday Morning, February 9, 1842.

Mr. Felkner presented the petition of sundry citizens of Johnson county, praying the re-location of a portion of the Territorial Road from Iowa City to Burlington.

On motion of Mr. Felkner,

Ordered, That said petition be referred to a Select Committee.

Messrs. Felkner, Blair, and Toole, were appointed said Committee.

Mr. Hepner, from the Committee on Enrolled Bills, reported Nos. 77, 107, 93, 10, 83, 63, 104, 43, 99, 89, 76, and 88, as correctly enrolled.

The Speaker then signed said bills.

Mr. Booth, from a Select Committee, to which was referred a certain petition, reported No. 131, H. R. File, "A bill for an act to establish an Insurance Company in the city of Dubuque,". which was read a first time by its title.

Mr. Hepner, from the Committee on Memorials, reported Nos. 2, and 32, C. F. and Nos. 66, 80, H. R. File, back to the House without amendment, and recommended the passage of the same.

Mr. Morgan, from the Committee on the Judiciary, to which was referred certain petitions and remonstrances relative to the laws regulating Blacks and Mulattoes, submitted the following report:

That they have considered the subject as set forth both in the petitions and remonstrances, and are of opinion that it would be inexpedient, if not dangerous, to have any additional legislation on the subject. The existing law is, in the opinion of your Committee, essential to the protection of the white population, against an influx of runaway slaves and out-cast blacks, from adjoining States. And your Committee are also of opinion that said law is already sufficiently liberal in its provisions, respecting such blacks and mulatoes as may choose to make a home in our Territory. So far, then, from recommending any alteration in our law on this subject, giving still greater liberty and protection to blacks and mulatoes, your Committee think that an amendment to the law, prohibiting, positively, their settlement among us, would approach more nearly the true policy of our Territory. But this course your Committee do not now feel themselves fully instructed to recommend.

Your Committee refrain from any discussion of this subject, as it is one which has already created a dangerous exitement throughout the States of the Union; and your Committee, deprecating all such excitement as dangerous to the interests and happiness of society, deem it most prudent to meet the first outbursts of the spirit of fanaticism among us, with a respectful silence, rather than run the risk of increasing its fury by discussion and formal opposition.

Your Committee, therefore, recommend that no legislative action be taken in regard to the prayers of the petitioners, and ask to be discharged from the further consideration of the subject.

Mr. Grant, on leave introduced No. 132, H. R. File, "A Memorial to Congress for an appropriation for Agricultural purposes," which was read a first time.

Ordered, That the 44th rule be suspended, and the Memorial read a second time now.

The Memorial was then read a second time, and on motion, the 44th rule was again suspended, and the Memorial read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Denson, on leave, introduced No. 133, H. R. File, "A bill relative to the navigation of the Maquoketa river," which was read a first time.

A motion was made by Mr. Grant, to re-consider the vote of yesterday, given on the passage of No. 110, H. R. File, "A bill to provide for an act to incorporate an Insurance Company at the town of Farmington, in Van Buren county."

To which the House agreed.

The question then being put, Shall the bill pass?

It passed in the affirmative.—Yeas 16, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Booth, Campbell, Denson, Grant, Hebard, Higginson, McColloch, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Felkner, Hepner, Holliday, Leffler, Morgan, Moss, and Wilson.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

A motion was made by Mr. Smead to re-consider the vote of yesterday. given on the adoption of the resolution relative to the pay of the officers of this House.

And the question being put—Was determined in the affirmative.

Yeas 15, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Campbell, Denson, Grant, Hebard, Higginson, Leffler, Moss, Patterson, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative, were, Booth, Felkner, Hepner, Holliday, McCulloch, Morgan, Weld, Whitaker, and Lewis, Speaker.

So the vote was re-considered.

The Resolution then being before the House,

Mr. Porter moved to amend the same by striking out the word "six," and inserting the word "five," allowing the Chief Clerk five dollars per diem.

And the question being put—It was decided in the affirmative.

Yeas 18, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Higginson, Leffler, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative, were, Messrs. Hepner, Holliday, McCulloch, Weld, Whitaker, and Lewis, Speaker.

So the amendment was agreed to.

A motion was made by Mr. Porter, to amend further, by striking out the word "five," and inserting the word "four," so as to allow the Assistant Clerk four dollars per diem.

And the question being put—Was determined in the affirmative.

A motion was made by Mr. Grant, to amend the resolution so as to allow the Door-keeper, Assistant Door-keeper, Messenger, Assistant, Messenger, and Fireman, $2.50 each.

A motion was made by Mr. Hepner, to amend said motion, so as to include the Sergeant-at-Arms.

The motion was lost.

A motion was made by Mr. Hebard to strike out the word "three" wherever it occurred in said resolution, and insert $2.50.

The motion was lost.

The question was then put on the motion to amend, made by Mr. Grant, and determined in the negative.—Yeas 4, Nays 20.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Grant, Patterson, and Smead.

Those who voted in the negative, were, Messrs. Blair. Booth, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Porter, Robertson, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the motion to amend was lost.

The question then being on the adoption of the resolution.

It passed in the affirmative—Yeas 21, Nays 3.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hepner, Higginson, Holliday, Leffler, Morgan, Moss, Porter, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Hebard, McCulloch, and Patterson.

So the resolution was adopted as amended.

A motion was made by Mr. Porter, to dispense with the printing of No 133, H. R. File.

And the question being put—It was determined in the affirmative. Yeas 12, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Blair, Grant, Hebard, Higginson, Holliday, Leffler, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Biggs, Campbell, Denson, Felkner, Hepner, McCulloch, Morgan, Moss, Patterson, Weld, and Lewis, Speaker.

So the printing was dispensed with.

On motion of Mr. Wilson,

Resolved, That the Committee on the Militia, to which was referred a bill amendatory of an act to organize, discipline, and govern the Militia, be instructed to report to this House by the 12th inst.

The report of the Committee on the Judiciary in relation to No. 114, H. R. File, "Memorial to Congress relative to the contiguous sections of land to Iowa City," was taken up, and concurred in, and the Memorial read a second time.

On motion of Mr. Felkner,

Ordered, That said Memorial be referred to a Select Committee.

Messrs. Felkner, Hebard, and Hepner, were appointed said Committee.

No. 130, H. R. File, "A bill for an act to amend an act, subjecting Real and Personal estate to execution," was read a second time.

On motion of Mr. Leffler,

Ordered, That said bill be indefinitely postponed.

No. 40, C. F. "A bill to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate," was read a second time.

On motion of Mr. Felkner,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein, Mr. Speaker resumed the Chair, and Mr. Hepner reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

On motion of Mr. Moss,

Ordered, That said bill be referred to a Select Committee.

Whereupon, Messrs. Moss, Whitaker, and Felkner were appointed said Committee.

No. 79, C. F., "A bill amendatory of an act to regulate Ferries," was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 86, C. F., "A bill for an act to amend an act to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings," was read a second time.

On motion of Mr. Patterson,

Ordered, That ssid bill be referred to the Committee on the Judiciary.

No. 96, C. F. "A bill to incorporate the City of Keosauque," was read a second time.

On motion of Mr. Weld,

Ordered, That said bill be referred to a Select Committee.

Messrs. Weld, Hepner, and Higginson, were appointed said Committee.

No. 110. C. F. "A bill to incorporate the Vestry of Trinity Parish, Davenport," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill do lie upon the table.

No. 112, C. F., "A bill to authorize David G. Bates and John Forbes, to keep a Ferry across the Mississippi river, in Jackson county," was read a second time.

Ordered, That said bill be read a third time on to-morrow.

No· 118, C. F. "A bill for an act to divorce John E. Ely from his wife, Minerva Ely," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill be referred to a Select Committee.

Messrs. Whitaker, Smead, and Robertson were appointed said Committee.

Mr. Hobard asked and obtained leave to introduce this afternoon, "A bill to incorporate an Insurance Company at Burlington."

No. 127, H. R. File, "A bill for an act repealing a portion of an act to locate and establish a Territorial Road from the town of Dubuque to Camp Atkinson," was read a third time, and passed.

Orderd, That the Clerk acquaint the Council therewith.

No. 17, C. F. "A bill to change the time of holding the District Courts in the Second Judicial District," was read a third time.

On motion of Mr. Grant,

Ordered, That said bill be referred to a Select Committee, with instructions to report as soon as possible.

Messrs. Grant, Moss, and Toole, were appointed said Committee.

No. 41, C. F. "A bill to revive and amend an act to incorporate the Bloomington Insurance Company," was read a third time.

On motion of Mr Moss,

Ordered, That said bill be indefinitely postponed.

No. 106, C. F. "A bill relative to the survey of the town of Marion," was read a third time, and passed.

Ordered, That the Clerk notify the Council accordingly.

Mr. Grant, from the Select Committee to which was referred No. 17, C. F., reported the same back to the House with amendments, which was read a second time.

On motion of Grant,

Ordered, That the 44th rule be suspended, and the bill be read a third thime.

Said bill was then read a third time, and passed.

On motion of Mr. Grant,

The title of said bill was amended so as to read "A bill to change the time of holding the District Court in the second and third Judicial Districts."

Ordered, That the Clerk acquaint the Council of the passage of said bill.

On motion of Mr. Biggs,

The House adjourned.

Thursday Morning, February 10, 1842.

A message from the Council by Mr. Woods, their Secretary.

Mr. Speaker—The Council have passed

No. 113, C. F. "A Joint Resolution, for the purchase of books for the Territorial Library."

No. 115, C. F. "A bill for an act to amend an act regulating Criminal Proceedings."

No. 116, C. F. "A bill for an act amending an act, regulating Practice in the District Courts in this Territory."

No. 117, C. F. "A bill to amend an act, entitled An act to prevent and punish Gaming."

No. 119, C. F. "An act to incorporate the town of Fort Madison."

No. 61, C. F. "A bill for an act to authorize the appointment of a County Agent in and for the county of Johnson."

No. 55, H. R. File, "A Memorial for a new Land District."

No. 112, H. R. File, "A bill for an act to locate and establish a Territorial Road from Crawfordsville, in Washington county, to Smith's Mill, in Henry county."

No. 132, H. R. File, "A Memorial to Congress for the benefit of Agriculture."

The Council have passed, with amendments:

No. 42, H. R. File, "A bill for an act to amend an act establishing the office of Judge of Probate."

And have indefinitely postponed,

No. 124, H. R. File, "A bill to locate the Seat of Justice in and for the county of Buchanan."

I herewith present for your signature an enrolled Bill and two Memorials.

And then he withdrew.

The Speaker then signed said bill and memorials.

Mr. Toole presented the account of Wm. Crum, editor of the Iowa City Standard, for newspapers furnished, and printing done, for the House of Representatives during the present session.

Ordered, That said account be referred to the Committee on Claims.

Mr. Higginson offered the following:

Resolved, That the Select Committee, to whom was referred a Resolution in relation to the price of printing be instructed to report to this House on day after to-morrow.

A motion was made by Mr. Hepner, that said resolution do lie upon the table.

The motion was lost.

The question then being put, Will the House adopt the resolution?

It was decided in the affirmative.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 79, C. F. "A bill amendatery of an act to regulate Ferries," reported the same back to the House, and recommended the passage of the same.

Mr. Felkner presented the account of John Hawkins, Esq., for administering the oath of office to the several members, which was referred to the Committee on Expenditures.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 87, C. F. "A bill to amend an act concerning Writs of Attachment," reported the same back to the House, and recommended the indefinite postponement of the bill.

Mr. Whitaker, from the Select Committee, to which was referred No 118, C. F. "A bill for an act to divorce John E. Ely from Minerva Ely," reported the same back, and recommended its passage.

Mr. Moss, from the Select Committee to which was referred No. 40, C. F., "A bill to authorize Boards Commissioners to appoint Agents to dispose of Real Estate," reported the same back, together with No. 134, H. R. File, as a substitute for the same

Mr. Weld, from the Select Committee, to which was referred No. 96, C. F. "A bill to incorporate the city of Keosauque," reported the same back to the House without amendment, and recommended its passage.

Mr. Felkner, from the Select Committee, to which certain petitions were referred, reported No. 135, H. R. File, "A bill for an act to relocate a part of a Territorial Road from Iowa City to Burlington," which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Hepner, from the Committee on Enrolled Bills, reported, that the Committee had presented to the Governor for his approval, on the 9th inst.,

"An act to amend an act entitled an act in relation to the safe custody of persons arrested for crimes and misdemeanors;"

"An act to make certificates of purchase of lands from any Register or Receiver of any Land Office in this Territory, evidence of title in the purchaser;"

A Joint Resolution, requesting our Delegate in Congress to use his influence with the Post-master General for the establishment of certain post offices;"

An act defining the jurisdiction of the Supreme and District Courts;"

"An act to revive the twelfth section of an act, establishing certain Territorial Roads therein named;"

"An act to amend an act, to District the Territory of Iowa into Electoral Districts;"

"An act to authorize the County Commissioners of Delaware county to pay Wm. Smith, sen'r., Wm. Jenas, and Thomas Denson for their services as County Commissioners, to locate the county seat of said county;"

"An act appointing an Acting Commissioner at Iowa City, defining his duties, and for other purposes;"

An act to authorize William Smith and Vincent Smith to keep a Ferry across the Mississippi river, in Jackson county;"

"An act to authorize the establishment of certain Dams across Skunk river;"

"An act to revive and re-establish a part of the Territorial road from Keokuk, in Lee county, to Iowaville, on the Des Moines river;"

"An act to re-locate a part of the Territorial Road from Farmington to Dubuque;"

"An act to locate and establish a Territorial Road from Marion, in Linn county, to the Indian boundary, in Benton county;" and

"An act to incorporate the town of Davenport."

No. 66, H. R File, "Memorial to Congress for the establishment of a National Armory on Rock Island, and for other purposes," was read a second time.

On motion of Mr. Robertson,

Ordered, That said Memorial be engrossed, and read a third time on to-morrow.

No. 80, H. R. File, "A Memorial to Congress, asking for the resurvey of the route of the Iowa River Canal," was read a second time.

A motion was made by Mr. Whitaker, that said Memorial be indefinitely postponed.

And the question being put—was determined in the affirmative.

Yeas 13, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Campbell, Hebard, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Smead, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Booth, Denson, Felkner, Grant, Higginson, Robertson, Toole, Weld, and Wilson.

So the Memorial was indefinitely postponed.

A message, in writing, from the Governor, by the hand of O. H. W. Stull, Secretary:

EXECUTIVE OFFICE, IOWA CITY, 9th February, 1842.

To the Speaker of the House of Representatives:

I return to the House of Repoesentatives, in which it originated, an act entitled "An act, appointing an Acting Commissioner at Iowa City, defining his duties, and for other purposes," which has been presented to me for approval and signature. It creates an office and appoint an individual by name to fill it, it provides a salary for him and defines his duties. The act of Congress entitled "An act to divide the Territory of Wisconsin and establish the Territory Government of Iowa," contains the following provisions: "The Governor shall nominate and by and with the advice and consent of the Legislative Council shall appoint all judicial officers, justices of the peace, sheriffs, and militia officers, except those of the staff, *and all civil officers not herein provided for.*" Of this latter description, I take the office to be, whose appointment as Commissioner this act assumes to make. I consider it, therefore, manifestly in conflict with that provision of the Organic Law, to which I have referred, and for that reason, cannot approve it.

JOHN CHAMBERS.

A call of the House was desired by five members; and the roll being called, those who failed to answer to their names, were, Messrs. Patterson and Porter.

The Sergeant-at-Arms was then directed to require the attendance of the absentees.

After a short time, the absentees appearing, a further call of the House was, on motion, suspended.

The question then being put on the passage of the act just returned from the Governor, by the constitutional majority.

It passed in the negative—Yeas 13, Noes 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, and Wilson.

Two-thirds not voting therefor, the bill was not passed.

On motion of Mr. Whitaker,

Ordered, That the said act be referred to the Committee on Public Buildings, with instructions to report on to-morrow.

Mr. Grant, on leave, made the following report:

The Committee of Conference, to which was referred No. 15, H. R. File, "A bill for an act to amend an act, regulating Criminal Proceedings, have had a conference, and agreed to make the following report:

The Committee recommend that the Council recede from all their amendments, excepting the tenth section, and that the House concur in the amendment of the Council to strike out that section.

No. 129, H. R. File, "A bill for an act for the organization of Township," was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Morgan reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

A motion was made by Mr. Biggs, that the House disagree to the amendments made by the Committee to the 24th section.

To which the House agreed.

The remaining amendments were then severally concurred in.

Several amendments being made to said bill,

A motion was made by Mr. Toole, that the 44th rule be suspended and the bill be read a third time now.

To which the House agreed.

The bill was then read a third time, and passed.

Ordered, That the Clerk notify the Council accordingly.

No. 133, H. R. File, "A bill relative to the navigation of the Maquoqueta river," was read a second time.

A motion was made by Mr. Moss, to refer said bill to the Committee on the Judiciary.

The motion was lost.

On motion of Mr. Denson,

Ordered, That said bill be engrossed, and read a third time on tomorrow.

The report of the Committee on Incorporations, made on yesterday, relative to certain petititions concerning a Ferry at Wapello, and also in relation to No. 97, C. F. "A bill to authorize William Milligan and Daniel Brewer to keep a Ferry at Wapello, in Louisa county," recommending the indefinite postponement of said bill, was taken up, and concurred in by the House.

No. 2, C. F., "Resolution requesting our Delegate to procure the survey of certain Islands in the Mississippi river," was read a second time.

On motion of Mr. Patterson,

Ordered, That said resolution be read a third time on to-morrow.

No. 32, C. F. "Memorial to Congress for an appropriation to complete the Nation Road from Dubuque to the southern boundary of the Territory, via Iowa City," was read a second time.

A motion was made by Mr. Felkner, that said resolution be read a third time on to-morrow.

The motion was lost.

A motion was was made by Mr. Toole, that said Memorial be indefinitely postponed.

And the question being put—It was decided in the negative.

On motion of Mr. Robertson.

Ordered, That said Memorial be read a third time on Monday next.

No. 112, C. F. "A bill to authorize David G. Bates and John Forbes, to keep a Ferry across the Mississippi River, in Jackson county," was read a third time, and passed.

Ordered, That the Clerk notify the Council of the passage of said bill.

No. 42, H. R. File, "A bill for an act to amend an act, establishing the Court of Probate," being returned from the Council amended was taken up, the amendments read, and concurred in.

Bills, &c., from the Council, of the following titles:

No. 61, "A bill for an act to authorize the appointment of a County Agent in and for the county of Johnson."

No. 113. "A Joint Resolution for the purchase of books for the Territorial Library."

No. 115, "A bill for an act to amend an act, regulating Criminal Proceedings."

No. 116, "A bill for an act amending an act, regulating Practice in the District Courts of this Territory."

No. 117, "A bill to amend an act entitled An act to prevent and punish Gaming."

No. 119, "A bill to incorporate the town of Fort Madison."

Were severally read a first time.

Mr. Biggs, from the Committee on Claims, to which was referred the account of James M. Hawkins, P. M. of this City, for postage charged on letters and documents sent to and from the House of Representatives during the session, reported, that they had had the same under consideration, and recommend the allowance of said charge, and that it be included in the appropriation bill.

The report was concurred in.

Mr. Biggs also made the following report:

The Committee on Claims, to which was referred the claim of N. Jackson, report, that they have investigated the same, and believe the sum of two hundred and fifteen dollars is due said Jackson, and recommend an appropriation of that sum for his benefit, and ask to be discharged from the further consideration of the subject.

On motion of Mr. Weld,

Ordered, That said report do lie upon the table.

A motion was made by Mr. Moss, to re-consider the vote of yesterday, given on the indefinite postponement of No. 41, C. F. "A bill to revive an act to incorporate an Insurance Company at Bloomington."

To which the House agreed:

The bill then being on its passage, the question was put, Shall the bill pass? It passed in the affirmative.

Ordered, That the Clerk notify the Council therewith.

On motion of Mr. Patterson,

The House adjourned.

Friday Morning, February 11, 1842.

Mr. Porter presented the petition of sundry citizens of the counties of Henry and Jefferson, in relation to a certain Territorial Road within said counties.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Felkner presented the petition of sundry citizens of Washington county, praying that a certain portion of said county may be attached to Johnson county.

Ordered, That said petition be referred to the Committee on Townships and County Boundaries.

Mr. Felkner presented the petition of sundry citizens of Johnson county, in relation to the Territorial Road from Iowa City to Burlington.

Ordered, That said petition be referred to the Committee on Roads and Highways.

Mr. Hebard presented the account of Jesse Williams for Maps and Books furnished, one to each House of the Legislative Assembly, at the session of 1840–41; which was referred to the Committee on Claims.

Mr. Biggs submitted the following report.

The Committee on Claims, to which was referred the account of William Crum, for newspapers furnished H. R., and other printing, report, that they have examined said account, and find said Crum entitled two hundred and eighty-seven dollaars for newspapers. The other items in the account the Committee think inadmissable.

Mr. Hepner, from the Committee on Public Buildings, to which was referred "An act to provide for the appointment of an Acting Commissioner at Iowa City, and for other purposes," reported the same back to the House with amendments.

Mr. Biggs, from the Select Committee appointed to examine the amount annually allowed for Public Printing submitted a report, which was read, and five hundred copies of the same ordered to be printed.

Said report reads as follows:

The Committee, to which was referred a resolution of this House, directing an inquiry into the "amount annually allowed for printing the Laws and Journals, and the Incidental Printing for the Legislative Assembly. and whether said allowances have been made in accordance with the resolutions of the Legislative Assembly, fixing the compensation for Public Printing," ask leave to report:

That they have had the matter, so referred, under their careful consideration, and that sufficient documents and vouchers are not within the reach of your committee to enable them to make a full and satisfactory exhibit of the matter under consideration.

The first branch of the enquiry, requiring a report of the amount allowed annually for printing, show the following result:

FOR THE SESSION OF 1838-'39.

To James Clarke & Co.,		
For Incidental Printing,	$2,285 75	
Newspapers furnished Legislature,	780 00	
		$3,065 75
To John H. McKenny,		
For printing Journals of the House of Representatives,	$1,265 00	
		$1,265 00
To Secretary of the Territory,		
For publication of Proclamation and other notices by the Executive and Secretary of the Territory,	$275 00	
		$275 00
The Russell & Reeves,		
For publishing the Laws, ("*a balance*")	$3,943 00	
For printing Journal of Council,	826 75	
		4,769 75
To James G. Edwards,		
For Incidental Printing,	$917 36	
Nepspapers, &c.,	84 00	
Publishing the act defining the duties of Justices of the Peace and Constables,	225 00	
		1,226 36
Total for the first session of the Legislature,		$10,601 86

SESSION OF 1839-'40.

To James G. Edwards,		
For Incidental printing,	$2,505 00	
Newspapers,	650 00	
Printing Journal H. of Representatives,	1,000 00	
Printing Council Journal,	800 00	
Balance on Journal, (allowed in 1841,)	275 10	
		$5,230 10
John H. McKenny,		
For Daily Journal of H. Representatives,	1,166 82	
Incidental printing, including newspapers	2,149 08	
Printing of the laws of this session, to be paid "by the Secretary of the Territory," the prices paid by Congress for similar work —amount actually paid not stated,		
		$3,315 90

EXTRA SESSION—1840.

James G. Edwards,		
For incidental printing,	$583 00	
Newspapers,	150 00	
		$7,33 00

John H. McKenny,		
For newspapers,	$150 00	
Incidental printing,	190 00	
Daily Journal of H. of Representatives,	399 25	
Governor's Message,	30 00	
Laws passed at extra session, to be paid by "Secretary of Territory" such prices as are paid by Congress for similar work. No documents showing the amount paid,		769 25
Total for the year 1840, (except the publication of the laws of the Regular and Extra Session,)		$10,048 25

SESSION OF 1840–'41.

James G. Edwards,		
For newspapers and incidental printing for the Council,	638 00	$638 00
John H. McKenny,		
For newspapers,	$634 00	
Printing bills, daily Journal, &c.,	2,917 96	
Printing the Laws, paid by the Secretary of the Territory,	1,300 00	$4,851 96
Total am't for 1841, (not including Journals,)		$5,489 96

In proceeding with the investigation required by the second branch of the resolution, the committee find that a resolution was passed at each session of the Legislative Assembly, fixing the compensation for printing at "the like prices allowed for work by Congress;" but they find insuperable difficulties in ascertaining the amount of work done in some instances, and the amount paid in others.

Your committee are of opinion, that, at the prices fixed, the amount for printing the first volume could not have exceeded $3.239 36. Yet it will be seen by the above exhibit, that $3.943 00 was appropriated to satisfy "a balance" supposed to be due for that object—what was the whole sum allowed for that work the committee have been unable to ascertain; but this "balance" exceeds the amount your committee believe to have been due for the whole of said work; the sum of $703 64.

Being unable to obtain a copy of the Journal of the first Council, an estimate cannot be made upon it, but it is presumed that it will bear the same proportion to the amount paid, as is found to exist between the correct estimate and amount allowed for the printing of the Journal of the House of Representatives of the same year.

The sum allowed for House Journal, first session,	$1,265 00
Estimated at Congress prices,	418 66
Amount allowed for printing Journals of both Houses, session 1839–'40.	$2,075 00

Estimate at Congress prices, 640 33

The committee have not been able to find any statement of the amount paid for printing the laws of this session, the same remark will apply to the laws passed at the extra session.

There was allowed and PAID for printing the laws of 1840–'41. $1,300 00

Estimated at Congress prices, 501 61

Though your committee have bestowed considerable attention to the above estimates with a view to their correctness, yet they are free to admit the possibility of some inaccuracies on account of a lack of full information of all the facts connected with the various questions arising in the course of the investigation, and they would not recommend any action in the premises that would, in the least, affect any just claim. They would, however, recommend the passage of a resolution directing the Secretary to delay further payment on any claims for printing heretofore done until the claimant shall make the proper statements showing the correctness and legality of his claim.

The committee believe that as strict regard should be paid to economy in the disbursement of funds apprpriated by Congress to defray the Legislative expenses of the Territory, as if that fund was raised by a tax on the people. Whenever the expenditures are likely to exceed the amount appropriated, and this excess has unfortunately occurred each year of our Territorial existence, and we have the mortification to see a Territorial debt yearly accumulating, without a reasonable prospect of its liquidation by Congressional appropriation. And should Congress adhere to the course heretofore pursued in refusing the means for the payment of this continually increasing burden of debt until Iowa becomes a State, its assumption by the State Government will be inevitable, and the people subjected at the very commencement of their independent form of government, not only to be taxed to defray the legitimate expenses of their State Government, but to pay for the extravagance practised while under a Territorial form.

Mr. Biggs, from the same Committee, reported No. 136, H. R. File, Joint Resolution, in relation to the claims of James G. Edwards and others," which was read a first time.

Mr. Patterson, from the Committee on Roads and Highways, reported No. 137, H. R. File, "A bill for an act to re-locate and mark out a portion of the Territorial Road from Farmington to Prairie du Chien," which was read a first time.

On motion of Mr. Booth,

Ordered, That the 44th rule be suspended, and the bill be read a second and third time now.

The bill was then read a second and third time, and passed.

Ordered, That the Clerk notify the Council of the passage of said bill.

A motion was made by Mr. Moss, to suspend the 44th rule, and the bill reported by the Committee on Public Buildings, with amendments, relative to the appointment of an Acting Commissioner at Iowa City," be read a second and third time now.

To which the House agreed.

The bill was then read a second and third time, and passed.

Ordered, That the Clerk notify the Council accordingly.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Saeaker:—The Council have passed,

No. 104, C. F. "A bill for an act to provide for the appointment of Masters in Chancery, and to prescribe their duties in certain cases.

No. 122, C. F. "A Joint Resolution, relative to steam boat Canal around Lower Rapids of Mississippi."

No. 133, C. F. "A Joint Resolution to Congress for an appropriation to erect a bridge across the South Fork of the Maquoketa river, where the Military Road crosses the same."

No. 123, H. R. File, "A bill for an act to divorce Seth Baker from Sally Baker."

No. 121, H. R. File, "A bill for an act to authorize John R. Sloan to keep a Ferry across the Mississippi river."

They have passed, with amendments,

No. 52, H. R. File, "A bill making Clerks of Boards of County Commissioners elective by the people."

No. 120, H. R. File, "A bill for an act to authorize Samuel Wells to build a Dam across Skunk river."

The Council have concurred in the report of the Committee of Conference, appointed on the part of the Council, on the disagreement of the two Houses on No. 15, H. R. File, "A bill for an act to amend an act regulating Criminal Proceedings."

I herewith present for your signature, four enrolled bills.

And then he withdrew.

The Speaker then signed said enrolled bills.

Mr. Felkner, from the Select Committee, to which the same was referred, reported No. 114, H. R. File, "Memorial to Congress relative to the contiguous sections of land to Iowa City," back to the House with amendments.

The Report of the Committee on the Judiciary, recommending the indefinite postponement of No. 87, C. F. "A bill to amend an act concerning Writs of Attachment," was taken up and concurred in.

So the bill was indefinitely postponed.

No. 61, C. F. "A bill for an act to authorize the appointment of a County Agent in and for the county of Johnson," was read a second time.

A motion was made by Mr. Moss, to lay said bill upon the table.

A motion was made by Mr. Felkner, that said bill be read a third time on to-morrow.

And the question being put—Was determined in the negative.

Yeas 11, Nays 13.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Biggs, Booth, Denson, Felkner, Higginson, Holliday, McCulloch, Patterson, Robertson, Toole, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Blair, Campbell, Grant, Hebard, Hepner, Leffler, Morgan, Moss, Porter, Smeed, Weld, Whitaker, and Wilson.

So the motion was lost.

On motion of Mr. Patterson,

Ordered, That said bill do lie upon the table until Monday next.

No. 79, C. F. "A bill amendatory of an act to regulate Ferries," approved Dec. 20, 1838, was read a second time.

On motion of Mr. Robertson,

Ordered, That the said bill be read a third time on to-morrow.

No. 96, C. F. "A bill to incorporate the City of Keosauque," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill be read a third time on to morrow.

No. 113, C. F. "A Joint Resolution for the purchase of books for the Territorial Library," was read a second time.

On motion of Mr. Grant,

Ordered, That said resolution be indefinitely postponed.

No. 115, C. F. "A bill for an act to amend an act, regulating Criminal Proceedings," was read a second time.

On motion of Mr. Grant,

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 116, C. F. "A bill for an act amending an act, regulating practice in the District Courts of this Territory," was read a second time.

On motion ofMr. Moss,

Ordered, That said bill be referred to the Cmmittee on the Judiciary.

No. 117, C. F. "A bill to amend an act entitled an act to prevent and punish Gaming," was read a second time.

On motion of Mr. Toole,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Smead reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

A motion was made by Mr. Porter, to strike out the works "one moiety thereof to the use of the person complaining and the other moiety," in the 1st section of said bill.

To which the House agreed.

A motion was made by Mr. Moss, to amend said bill by adding the following, to wit:

"And it shall be the duty of all constables to make complaint of all offences against this act coming within their knowledge."

A motion was made by Mr. Biggs, to amend the amendment, by inserting the words, "and attorneys at law," after the word "Constables." To which the House agreed.

A motion was then made by Mr. Moss, to further amend the same by inserting the word "Surveyors."

And the question being put—was determined in the negative.

Yeas 5, Nays 18.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Higginson, Holliday, Moss, Weld, and Wilson.

Those who voted in the negative were, Messrs. Biggs, Blair, Booth, Campell, Denson, Felkner, Hebard, Hepner, Leffler, McCulloch, Morgan, Patterson, Porter, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

So the amendment to the amendment was disagreed to.

The question was then put on the adoption of the amendment, as amended, and decided in the negative. Yeas 7, Nays 16.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Blair, Booth, Hepner, McCulloch, Moss, Whitaker, and Wilson.

Those who voted in the negative were, Messrs. Biggs, Campbell, Denson, Felkner, Hebard, Higginson, Holliday, Leffler, Morgan, Patterson, Porter, Robertson, Smead, Toole, Weld, and Lewis, Speaker.

So the amendment was lost.

On motion of Mr. Robertson,

Ordered, That said bill be read a third time on to-morrow.

No 118, C. F. "A bill for an act to divorce John E. Ely from Minerva Ely," was read a second time.

On motion of Mr. Whitaker,

Ordered, That said bill be read a third time on to-morrow.

No. 119, C. F. "A bill for an act to incorporate the town of Fort Madison," was read a second time.

On motion of Mr. Patterson,

Ordered, That said bill be read a third time on to-morrow.

No. 131, H. R. File, "A bill for an act to establish an Insurance Company at Dubuque," was read a second time.

On motion of Mr. Booth,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Robertson reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

On motion of Mr. Wilson,

Ordered, That said bill be engrossed for a third reading on to-morrow.

Mr. Hebard, in accordance with previous notice, introduced No. 138, R. File, "A bill for an act to establish the Des Moines Insurance Company, at Burlington," which was read a first time.

Ordered, That the 44th rule be suspended, and the bill be read a second time now.

Said bill was then read a second time, and ordered to be engrossed and read a third time on to-morrow.

Mr. Morgan, from the Committee on Engrossed Bills, reported Nos. 66 and 133, H. R. File, as correctly engrossed.

No. 134, H. R. File, "A bill for an act to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate," was read a second time.

On motion of Mr. Higginson,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 135, H. R. File, "A bill for an act to re-locate a part of the Territorial Road from Iowa City to Burlignton," was read a second time.

On motion of Mr. Felkner,

Ordered, That said bill be engrossed and read a third time on to-morrow.

No. 2, C. F. "Resolution requesting our Delegate to procure to surxey of certain Islands in the Mississippi river;" and,

No. 66, H. R. File, "Memorial to Congress for the establishment of a National Armory at Rock Island, and for other purposes;"

Were each read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 133, H. R. File, "A bill relative to the navigation of the Maquoqueta River," was read a third time.

A motion was made by Mr. Moss, that said bill be committed to the Committee on the Judiciary.

And the question being put—It was decided in the negative.

Yeas 7, Nays 15.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Blair, Hebard, Hepner, Leffler, Morgan, and Moss.

Those who voted in the negative, were, Messrs. Denson, Felkner, Grant, Higginson, Holliday, McCulloch, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the motion to commit was lost.

The question was then put, Shall the bill pass?

And determined in the affirmative.

The Report of the Committee of Conference, made on yesterday in relation to No. 15, H. R. File, was taken up and concurred in.

No. 52, H. R. File, "A bill making the Clerk of the Board of County Commissioners elective by the people," having been returned from the Council with amendments, was taken up, the same read, and concurred in.

No. 120, H. R. File, "A bill for an act to authorize Samuel Wells to build a Dam across Skunk river," being returned from the Council with amendments, was taken up, the amendments read, and concurred in by the House.

No. 104, C. F. "A bill for an act to provide for the appointment of Masters in Chancery, and to prescribe their duties in certain cases;"

And "No. 122, C. F. "A Joint Resolution, relative to a steam boat Canal around the Lower Rapids of the Mississippi river;"

Were each read a first time.

No. 123, C. F. "A Joint Resolution for an appropriation to build a Bridge across the South Fork of the Maquoqueta river, where the Military Road crosses the same," was read a first time.

A motion was made by Mr. Denson, that the 44th rule be suspended, and the resolution be read a second time now.

The motion was lost.

Mr. Hepner, from the Committee on Enrollments, reported, Nos. 42, and 112, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

On motion

The House adjourned.

Saturday Morning, February 12, 1842.

Mr. Porter, from the Committee on Roads and Highways, reported No. 139, H. R. File, "A bill to re-locate that part of the Territorial Road from Fairfield, in Jefferson county, to Wapello, in Louisa county, that lies between Skunk River, and Jefferson, in Henry county," which was read a first time.

Ordered, That the printing of said bill be dispensed with.

Mr. Hepner, from the Committee on Enrollments, reported, that the Committee had presented to the Governor, for his approval, on the 10th inst.,

"An act concerning Oaths and Affidavits;"

"A Memorial for a donation of land, to establish a Seminary of Learning at West Point in Lee county;" and

"A Memorial to Congress for the relief of Jeremiah Smith, Jr.

Mr. Hepner also reported, as correctly enrolled, Nos. 25, 52, 120, 121, and 123, H. R. File.

The Speaker then signed said bills.

Mr. Morgan, from the Joint Committee on Printing, reported No. 140 H. R. File, "A bill for an act, fixing the prices of printing done for the Legislative Assembly," which was read a first time.

Mr. Higginson, from the Committee on Expenditures, reported, No. 141, H. R. F. "A bill to provide for the compensation of the members, officers, and printers of the Legislative Assembly, and for other purposes," which was read a first time by its title.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 86, C. F. "A bill for an act to amend an act, to provide for the appointing of Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings," reported the same back with sundry amendments.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 116, C. F. "A bill for an act amending an act, regulating Practice in the District Courts of this Territory," reported the same back to the House, and recommended the indefinite postponement of the bill.

Mr. Whitaker, from the Committee appointed to examine the recording of the Journals, reported the same to be correct up to Feb. 9th.

Mr. Morgan, from the Committee on Military Affairs, to which was referred No. 92, H. R. File, "A bill amendatory of an act entitled

An act to organize, discipline, and govern the Militia of this Territory, approved July 31, 1840, and further amendatory of an act entitled An act to organize, discipline, and govern the Militia of this Territory, approved January 4, 1839," reported the same back to the House, together with a report recommending the indefinite postponement of said bill.

Said report reads as follows:

The Committee on Military Affairs, to whom was referred "A bill amendatory of an act entitled An act to organize, discipline, and govern the Militia of this Territory, approved July 31, 1840, and further amendatory of an act entitled An act to organize, discipline, and govern the Militia of this Territory, approved January 4, 1839, ask leave to report—

That they have carefully considered the same, and recommend its rejection, for the following reasons:

1st. Because it contemplates an entire change in the Militia System which prevails throughout the Union.

2d. Because, by compelling officers only, to drill, and leaving privates of companies, &c., free of duty, and free of all compulsory provisions, it is contrary to the spirit and discipline which govern the U. S. Army, the rules and regulations of which which apply, in certain cases, to the Militia of the United States. Your Committee therefore deem the provisions of this bill in direct conflict with the spirit and nature of this important part of our system of government.

3d. Because, in the opinion of your Committee, the drilling of officers together and alone, would inspire them with neither pride nor patriotism—sentiments essential to the character of an officer, and necessary to his usefulness as such;—and in this respect the bill would be worse than abortive in its operation. Your Committee cannot perceive where the feeling is to come from, that would give interest, instruction or usefulness to such a drill. Such drills are not known to the discipline which governs the army of the U. States, nor are they known to the military discipline which prevails in any country. If so, there would be no necessity for standing and drilled armies, but all dependence could be made upon a small squad of drilled officers, who should possess all the practical military knowledge in the country, and who, under such a system, would be compelled to depend for aid upon the raw and undrilled recruits which they might pick up in any part of the country.

Your Committee freely admit, that, although our present system is, in itself, a good one, yet, in its operation and results, it is, from extraneous circumstances, inefficient. But this inefficiency, as your Committee believe, is to be remedied, not by altering the system, but by seeking or awaiting a change in the circumstances which now embarrass it. If the drilling of merely the militia officers of the Territory would be of service to even the officers themselves, your Committee would have no objection to recommending the passage of the bill—but for the reasons before suggested, your Committee do not believe that in this respect it would be of service, but on the contrary would fail entirely of its object, and would, in addition, operate unjustly and unequally, by compelling one class of citizens to bear arms while it exempts others.

Another objection to the bill, or a reason for its postponement, is, that it contemplates so material a change in the military system at the present time, where there is every probability of a speedy change of our present form of government. Your Committee would submit the question, whether it would not be more prudent to leave the regulation of so important a matter to the future authorities of the State?

Your Committee, as individual members, have never received any suggestions or instructions from their constituents as to a change in the present system, and as it is one of importance to every citizen of the Territory, your Committee would also submit the question, whether it would not be proper first to give the people an opportunity to make up their minds on the subject, so that next year they may instruct their representatives.

This course your Committee deem it proper to recommend, in justice and in deference to the opinions of the people.

Individually, your Committee are opposed to the change proposed in the bill, and for the reasons before stated. They believe that officers would receive neither pleasure nor profit from such a system. They believe, too, that by exempting citizens from military service they would soon forget, through inaction, the duty which they owe their country. Your Committee do not think it good policy to hold out to any class of citizens any inducement to seek ease in exemption from important and essential duties. And although the present system, by reason of unfortunate circumstances, is, to some extent, unfortunate in its operation, yet it is at least attended with the good result of reminding our citizens of their duty—and when these unfortunate circumstances shall have been removed, your Committee doubt not our citizens will perform their duty under the present system with pride and pleasure.

At present there are no public arms in the Territory, and consequently no encouragement for the organization of volunteer corps. So long as this state of things prevails, so long will there be a lack of military pride and military feeling among our people. But when this difficulty shall be removed, a sufficient inducement will be offered to volunteer companies to organize, and the public parades of these, will, in their turn, infuse a spirit of military feeling throughout the great mass of community, and thus be attended with the happiest results.

For these reasons your Committee report the bill back to the House without amendment, and recommend its rejection. And your Committee now ask to be discharged from the further consideration of the subject.

Mr. Weld, from the Select Committee, to which was referred the petitions of sundry citizens of Van Buren county, relating to the Dams in the Des Moines river, reported, that they have had the subject under consideration, and find that the petitioners are a minority of the voters of said county, and therefore think legislation upon the subject inexpedient, and ask to be discharged from a further consideration of the same.

The report was concurred in.

Mr. Felkner, from the Committee on Incorporations, to which was referred No. 83, C. F. "A bill to incorporate the Cedar Rapids Manufactoring Company," reported the same back with amendments.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 115, C. F. "A bill for an act to amend an act regulating Criminal Proceedings," reported the same back to the House with amendments.

A motion was made by Mr. Porter, to re-consider the vote of yesterday, given on laying No. 61, C. F. "A bill for an act to authorize the appointment of a County Agent in and for the county of Johnson" upon the table until Monday next.

To which the House agreed.

A motion was made by Mr. Porter, that said bill be read a third time on Monday next.

And the question being put—Was determined in the affirmative.

Yeas 13, Nays 9.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Denson, Felkner, Hebard, Higginson, Holliday, McCulloch, Patterson, Porter, Robertson, Smead, Toole, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Campbell, Grant, Hepner, Leffler, Moss, Weld, Whitaker, and Wilson.

So the bill was ordered to a third reading on Monday next.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have agreed to the amendments made by the House of Representatives to No. 17, C. F. "A bill to change the time of holding the District Courts in the second and third Judicial Districts.

They have passed—

No. 130, C. F. "A bill for the relief of James Davis, former sheriff of Muscatine county;"

No. 131, C. F. "A bill for the re-location of the Territorial Road established from Davenport to Marion."

No. 128, C. F. "A bill relative to the survey of the town of Salem."

The have passed, with amendments—

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people of the Territory of Iowa upon the subject of the formation of a State Constitution," &c.

No. 62, H. R. File, (with amendments) "A bill for an act to amend an act concerning Costs and Fees."

They have passed—

No. 127, C. F. "A bill to divorce James V. Hill from his wife Eliza Hill."

And then he withdrew.

The report of the Committee on Claims, relative to the account of W. Crum, was taken up, and being under consideration, was,

On motion of Mr. Weld,

Laid upon the table.

No. 124, C. F. "A bill for an act to provide for the appointment of

Masters in Chancery, and to prescribe their duties in certain cases," was read a second time.

Ordered, That said bill be referred to the Committee on the Judiciary.

No. 122, C. F. "A Joint Resolution, relative to Steam Boat Canal around the Lower Rapids in the Mississippi River," was read a second time.

On motion of Mr. Patterson,

Ordered, That said resolution be read a third time on Monday next.

No. 123, C. F. "A Joint Resolution to Congress, for an appropriation to erect a bridge across the South Fork of the Maquoqueta river, where the Military Road crosses the same," was read a second time.

A motion was made by Mr. Denson, that said resolution be read a third time on Monday next.

The motion was lost.

A motion was made by Mr. Felkner, that said resolution be laid upon the table.

The motion was lost.

A motion was made by Mr. Whitaker, that said resolution be indefinitely postponed.

And the question being put—It was decided in the affirmative.

Yeas 12, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs, Biggs, Campbell, Hebard, Hepner, Leffler, McCulloch, Morgan, Moss, Patterson, Smead, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Booth, Denson, Felkner, Grant, Higginson, Holliday, Robertson, Toole, Weld, and Lewis, Speaker.

So the resolution was indefinitely postpened.

No. 114, H. R. File, "Memorial Congress, relative to the contiguous sections of land to Iowa City," was read a second time.

A motion was made by Mr. Hepner, that said Memorial be engrossed and read a third time on Monday next.

And the question being put—It was determined in the affirmative.

Yeas 14, Nays8 .

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Campbell, Felkner, Hebard, Hepner, Holliday, McCulloch, Morgan, Patterson, Robertson, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Denson, Grant, Higginson, Leffler, Moss, Smead, and Wilson.

So the Memorial was ordered to be engrossed for a third reading on Monday.

Bills of the following titles, to wit:

No. 79, C. F. "A bill amendatory of an act to regulate Ferries," approved December 20, 1838.

No. 96, C. F. "A bill to incorporate the city of Keosauque;"

No. 117, C. F. "A bill to amend an act entitled An act to prevent and punish Gaming."

No. 119, C. F. "A bill to incorporate the town of Fort Madison."

No. 131, H. R. File, "A bill for an act to establish an Insurance Company in the city of Dubuque."

No. 134, H. R. File, "A bill for an act to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate."

No 135, H. R. File, "A bill to re-locate a part of the Territorial Road from Iowa City to Burlington;" and,

No. 138, H. R. File, "A bill for an act to establish the Des Moines Insurance Company at Burlington;"

Were severally read a third time, and passed.

Ordered, That the Council be notified of the passage of said bills.

No. 118, C. F. "A bill for an act to divorce John E. Ely from Minerva Ely," was read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 12, Nays 8.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Booth, Campbell, Denson, Felkner, Grant, Higginson, McCulloch, Patterson, Robertson, Smead, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Hebard, Hepner, Holliday, Leffler, Morgan, Toole, and Wilson.

So the bill passed, and its title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 62, H. R. File, "A bill to amend an act concerning Costs and Fees." being returned from the Council with sundry amendments, was taken up, the same read, and severally concurred in by the House.

Bills from the Council of the following titles, to wit:

No. 127, "A bill to divorce James V. Hill from his wife Eliza Hill;"

No. 128, "A bill relative to the survey of the town of Salem;"

No. 130, "A bill for the relief of James Davis, former Sheriff of Muscatine county;" and

No. 131, "A bill for the re-location of a portion of the Territorial Road established from Davenport to Marion;"

Were severally read a first time.

On motion of Mr. Higginson,

The House adjourned.

Monday Morning, February 14, 1842.

Mr. Robertson presented the petition of sundry citizens of Clinton county, praying that the present name of the county seat of said county (Vandenburg) may be changed to "De Witt."

On motion of Mr. Robertson,

Ordered, That said petition be referred to the Delegation from Scott and Clinton counties.

Mr. Baker presented the petition of Clarissa Welch, praying to be divorced from her husband Samuel Welch.

Ordered, That said petition be referred to a Select Committee.

Whereupon, Messrs. Baker, Toole, and Blair were appointed said Committee.

Mr. Baker presented the petition of sundry citizens of Washington county, in relation to a certain Territorial Road, running through said county.

Ordered, That said petition be referred to those gentlemen who compose the Committee last appointed.

Mr. Higginson presented the petition of Rebecca Fisher, praying to be divorced from her husband, John Fisher.

Ordered, That said petition be referred to a Select Committee.

Messrs Higginson, Smead, and Robertson were appointed said Committee.

Mr. Hepner, from the Committee on Enrollments, reported, that the Committee had presented to the Governor, for his approval on the 12th inst.,

An act to authorize Ranson Long to keep a Ferry across the Mississippi river, in Muscatine county;"

"An act to re-locate a Territorial Road from Farmington to the Missouri line;"

"An act to authorize James Muir, a minor, to execute a Deed to Anson L. Deming and Jesse C. Smith;" and

An act to locate a part of the Territorial Road in Jefferson county."

Mr. Toole, from the Committee on Enrollments, reported Nos. 15, and 62, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

Mr. Toole, on leave, reportod No. 142, H. R. File, "A bill for an act to vacate the survey and plat of a part of the town of Black-Hawk, in Louisa county," which was read a first time.

Ordered, That the 44th rule be suspended, and the bill be read a second and third time now.

The bill was then read a second and third time, and passed.

Ordered, That the Clerk acquaint the Council accordingly.

Mr. Booth, on leave, introduced No. 143, H. R. File, "A Resolution for the relief of Walter Butler," which was read a first time.

Ordered, That the 44th rule be suspended, and the resolution be read a second time now.

The resolution was then read a second time, and a motion was made by Mr. Biggs, to amend the same by inserting the following proviso, to wit:

"*Provided*, said Butler shall furnish the Secretary of the Territory a suitable room for storing the Legislative furniture during the next recess of the Legislature."

And the question being put—Was determined in the affimative.

Yeas 17, Nays 6.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Hebard, Higginson, Leffler, McCulloch, Morgan, Moss, Quinton, Robertson, Smead, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Baker, Hepner, Holliday, Patterson, Toole, and Weld.

So the Resolution was so amended.

Ordered, That the 44th rule be again suspended, and the resolution be read a third time now.

The resolution then being read a third time, the question was put, Shall the Resolution pass? It passed in the affirmative.

Yeas 18, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Higginson, Holliday, McCulloch, Morgan, Patterson, Quinton, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Hebard, Hepner, Leffler, Moss, and Wilson.

So the resolution was passed.

Ordered, That the Clerk notify the Council therewith.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed—

No. 55, H. R. File, "A bill to authorize Joseph Stevens to build a Dam across Skunk River;"

No. 173, H. R. File, "A bill to re-locate a Territorial Road in Clayton county;"

No. 116, H. R. File, "A bill to locate a road from Fairfield to the Forks of Skunk River;"

No. 127, H. R. File, "A bill for an act repealing a portion of an act to locate and establish a Territorial Road from the town of Dubuque to Camp Atkinson," approved January 13th, 1841.

No. 80, C. F. "A bill authorizing the reduction of the minimum price of the unsold lots in Iowa City, and their sale for work and materials, and for other purposes;"

No. 109, C. F. "A bill to incorporate the Iowa City Fire Engine Company;"

No. 124, C. F. "A bill for an act to authorize William H. Lloyd to keep a Ferry at Lloyd's Ford, on Skunk River;"

No. 134, C. F. "A Memorial to Congress, praying an appropriation for the compensation of James M. Morgan;"

No 135, C. F. "A bill to amend an act to incorporate the town of Bloomington;"

The Council have passed, with amendments, the following bills:

No. 23, H R. File, "A bill for an act to provide for receiving the proportion of money to which Iowa will be entitled under the Distribution Law;"

No. 85, H. R. File, "A bill for an act to establish a Territorial Road from Bellview to Tipton;"

No. 101, H. R. F. "A Resolution, authorizing pay to John Lurton and Hawkins Taylor;"

No. 102, R. File, "A bill for an act to locate and establish a Territorial Road from Charles Nealy's, in Muscatine county, to Iowa City, in Johnson county;"

No. 110, H. R. File, "A bill for an act to incorporate an Insurance Company at the town of Farmington, Van Buren county;"

In which they ask the concurrence of the House of Representatives.

I herewith present, for your signature, four enrolled bills.

And then he withdrew.

The Speaker then signed said enrolled bills.

Mr. Baker, from the Select Committee, to which the subject was referred, reported No. 144, H. R. File, "A bill for an act to punish for trespass upon School Lands," which was read a first time.

Ordered, That the 44th rule be suspended, and the bill be read a second and third time now.

The bill was then read a 2d and 3d time, a motion was made by Mr Baker to amend the same, by adding the following proviso to the 3rd section—"Provided said settlers injure the value of said land."

To which the House agreed.

The question then being put, Shall the bill pass?

It passed in the affirmative—Yeas 17, Nays 6.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Blair, Booth, Denson, Hebard, Hepner, Higginson, Holliday, Leffler, McColloch, Morgan, Patterson, Quinton, Robertson, Smead, Toole, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Campbell, Moss, Weld, Whitaker, and Wilson.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people upon the subject of the formation of a State Constitution," &c., having been returned from the Council with amendments, and being under consideration, all the amendments were concurred in, excepting the one made to the fifth section, which was amended by striking out the words "six months," and inserting the words "twelve months."

Ordered, That the Clerk notify the Council therewith.

No. 32, C. F. "Memorial to Congress for an appropriation to complete the National Road from Dubuque to the southern boundary line," was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 61, C. F. "A bill for an act to authorize the appointment of a County Agent in and for the county of Johnson," was read a 3d time.

A motion was made by Mr. Moss, that the same do lie upon the table.

The motion was lost.

The question then being put! Shall the bill pass?

It passed in the affirmative.

No. 93, C. F. "A bill to incorporate the Brighton Exporting and Importing Company," was read a third time.

The question then being put, Shall the bill pass?

It passed in the negative—Yeas 8, Nays 16.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Higginson, Holliday, Quinton, Robertson, Toole, and Weld.

Those who voted in the negative, were, Messrs. Biggs, Blair, Campbell, Denson, Felkner, Hebard, Hepner, Leffler, McCulloch, Morgan, Moss, Patterson, Smead, Whitaker, Wilson, and Lewis, Speaker.

So the bill was lost.

No. 122, C. F. "A Joint Resolution, relative to a Steam Boat Canal around the Lower Rapids, in the Mississippi," was read a third time.

The question being put, Shall the bill pass?

It passed in the affirmative—Yeas 15, Nays 9.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Higginson, Holliday, McCulloch, Patterson, Quinton, Robertson, Smead, Weld, Whitaker, Wilson, and Lewis, Speaker.

Th ose who voted in the negative were, Messrs. Biggs, Blair, Felkner, Hebard, Hepner, Leffler, Morgan, Moss, and Toole.

So the resolution passed, and its title agreed to.

Ordered, That the Clerk notify the Council of the passage of the same.

On motion of Mr. Morgan,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The Report of the Committee on Military Affairs, recommending the rejection of No. 92, H. R. File, "A bill amendatory of the several acts, organizing the Militia of this Territory," was taken up, and being under consideration,

A motion was made by Mr. Morgan, to amend said report so as to recommend the indefinite postponement of the bill.

To which the House agreed.

The question then being on concurring in the report of the Committee, as amended. And after debate, was put, and determined in the negative—Yeas 11, Nays 13.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Biggs, Booth, Denson, Holliday, McCulloch, Morgan, Patterson, Quinton, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair. Campbell, Felkner, Hebard, Hepner, Higginson, Leffler, Porter, Robertson, Smead, Toole, Weld, and Wilson.

So the report of the Committee was not concurred in.

On motion of Mr. Hebard,

Ordered, That said bill be referred to a Select Committee.

Messrs. Hebard, Felkner, and Hepner were appointed said Commit-mittee.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed

No. 133, H. R. File, "A bill relative to the navigation of the Maquoketa River;"

No. 50, C. F. "A bill for an act supplementary to an act, regulating Marriages, approved January 6th, 1840;"

No. 121, C. F. "A bill for an act to amend an act, relative to Wills and Testaments, &c.

No. 129, C. F. "A bill to establish certain Territorial Roads;"

The Council have passed, with amendments,

No. 129, H. R. File, "A bill for an act for the organization of Townships."

The Council have concurred in the amendment made by the House of Representatives to No. 117, C. F. "A bill to amend an act entitled An act to prevent and punish Gaming."

The Council have disagreed to the amendment of the House to the amendment of Council to No. 95, H. R. File, "An act to provide for the expression of the people," &c.

The Council have also passed, with amendments;

No. 142, H. R. File, "A bill for an act to vacate the survey and plat of a part of the town of Black-Hawk, in Louisa county;" and,

No. 143, H. R. File, "A Resolution for the relief of Walter Butler."

In all of which they ask the concurrence of the House of Representatives. And then he withdrew.

No. 139, H. R. File, "A bill to re-locate that part of the Territorial Road leading from Fairfield, in Jefferson county, to Wapello, in Louisa county, that lies between Skunk River and Jefferson, in Henry county," was read a second time.

A motion was made by Mr. Hebard, to amend the bill by striking out the word "Skunk" wherever it occurs, and inserting the word "Checauque."

And the question being put—It was decided in the affirmative.

Yeas 13, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Booth, Denson, Hebard, Higginson, Leffler, Morgan, Porter, Smead, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Baker, Blair, Campbell, Felkner, Hepner, Holliday, McCulloch, Patterson, Quinton, Robertson, and Toole.

So the amendment was agreed to.

On motion of Mr. Hebard,

Ordered, That said bill be engrossed and read a third time on to-morrow.

Mr. Hebard, from the Committee on engrossed bills, reported No. 114, H. R. File, as correctly engrossed.

No. 140, H. R. File, "A bill for an act, fixing the prices of Printing done for the Legislative Assembly," was read a second time.

On motion of Mr. Morgan,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Toole reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same sundry amendments, and ask the concurrence of the House.

A call of the House was desired by five members, and the roll being called, those who failed to answer to their names, were, Messrs. Grant and Moss.

The Sergeant-at-Arms was then directed to require the attendance of the absentees. After a short time, the absentees appearing, a further call of the House, was, on motion, suspended.

On motion of Mr. Leffler,

Ordered, That said bill do lie upon the table until to-morrow morning.

No. 141, H. R. File, "A bill to provide for the compensation of the members, officers, and printers of the Legislative Assembly, and for other purposes," was read a second time.

A motion was made by Mr. Biggs to lay said bill upon the table until to-morrow afternoon.

The motion was lost.

A motion was made by Mr. Campbell, that the House do now adjourn.

And the question being put—Was determined in the negative.

Yeas 10, Nays 16.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Campbell, Hebard, Higginson, Holliday, Moss, Porter, Quinton, Toole, Weld, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Biggs, Blair, Booth, Denson, Felkner, Grant, Hepner, Leffler, McCulloch, Morgan, Patterson, Robertson, Smead, Whitaker, and Lewis, Speaker.

So the motion was lost.

A motion was then made by Mr. Patterson, to refer said bill to a Committee of the Whole House.

The motion was lost.

Mr. Baker, on leave, introduced No. 145, H. R. File, "A Bill for an act to divorce Clarissa Welch from her husband Samuel C. Welch;"

Also—No. 146, H. R. File, "A bill for an act to re-locate a part of a Territorial Road, in Washington county."

Said bills were each read a first time, and the printing of the same dispensed with.

Mr. Biggs, on leave, introduced No. 147, H. R. File, "A bill for an act to change the names of certain towns and rivers," which was read a first time.

Mr. Robertson, on leave, introduced No. 148, H. R. File, "A bill for an act to change the name of the town of Vandenburg, in Clinton county, to that of "De Witt;" which was read a first time.

A motion was made by Mr. Robertson, to dispense with the printing of said bill.

And the question being put—Was determined in the affirmative.

Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs, Biggs, Blair, Felkner, Grant, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Hebard, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, and Weld.

So the printing of said bill was dispensed with.

Mr. Hepner, from the Committee on Enrolled Bills, reported, that the Committee had presented to the Governor, for his approval, on this day—

"An act to amend an act, entitled An act regulating Criminal Proceedings;" and,

"An act to amend an act concerning Costs and Fees."

Mr. Higginson, from a Select Committee, reported No. 149, H. R. File, "A bill for an act to divorce Rebecca Fisher from her husband John Fisher," which was read a first time.

On motion of Mr. Whitaker,

Ordered, That the printing of said bill be dispensed with.

A motion was made by Mr. Whitaker, to dispense with the printing of No. 147, H. R. File. To which the House agreed.

A motion was made by Mr. Baker, that the 44th rule be suspended, and No. 145, H. R. File, "A bill for an act to divorce Clarissa Welch from her husband Samuel C. Welch," be read a second time now.

To which the House agreed.

The bill was then read a second time, and a motion was made by Mr. Baker, to again suspend the 44th rule, and the same be read a third time now. The motion was lost.

A motion was then made by Mr. Baker, that said bill be engrossed and read a third time on to-morrow.

And the question being put—It was determined in the affirmative. Yeas 16, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Higginson, Holliday, McCulloch, Patterson, Porter, Quinton, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Hepner, Leffler, Morgan, Moss, Weld, and Wilson.

So the bill was ordered to be engrossed for a third reading on to-morrow.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have passed

No. 126, C. F. "A bill for an act for the re-location of a part of a Territorial Road, from Iowa City to Prairie du Chien;"

No. 132, C. F. "A bill relative to the Davenport Institute;"

No. 133, C. F. "A bill relative to the officers of the Legislative Assembly;"

No. 181, H. R. File, "A bill for an act for the relief of the Poor;"

The Council have rejected

No. 144, H. R. File, "A bill for an act to punish for trespass on School and other lands;"

And have passed, with amendments,

No. 82, H. R. File, "A bill for an act to authorize the establishment of Poor Houses." In which the concurrence of the House of Representatives is requested.

And then he withdrew.

A motion was made by Mr. Higginson, that the House do now adjourn.

And the question being put—Was determined in the affirmatve.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Blair, Denson, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Biggs, Booth, Campbell, Hepner, McCulloch, Morgan, Moss, Patterson, Quinton, and Lewis, Speaker.

So the House adjourned.

Tuesday Morning, February 15, 1842.

Mr. Hepner, from the Committee on Enrolled Bills, reported Nos. 127, 133, and 137, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

Mr. Hebard, from the Committee on Engrossed Bills, reported No. 139, H. R. File, as correctly engrossed.

No. 95, H. R. File, "A bill for an act to provide for the expression of the opinion of the people relative to the formation of a State Constitution," &c., being returned from the Council with the amendment of the House of Representatives to the amendment of the Council disagreed to, was taken up and being under consideration,

A motion was made by Mr. Leffler, that the House insist upon their amendment—requiring a residence of twelve months in the Territory to become a member of said Convention.

And the question being put—It was decided in the affirmative.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Biggs, Blair, Felkner, Grant, Hebard, Higginson, Leffler, Morgan, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

Those who voted in the negative were, Messrs. Baker, Booth, Campbell, Denson, Hepner, Holliday, McCulloch, Patterson, Quinton, Weld, and Lewis, Speaker.

So the amendment of the House was insisted upon.

A motion was made by Mr. Grant, to take from the table No. 140, H. R. File, "A bill for an act, fixing the prices of printing done for the Legislative Assembly." The motion was lost.

No. 141, H. R. File, "A bill for an act to provide for the compensation of the members, officers, and printers, of the Legislative Assembly, and for other purposes," was read a second time.

A motion was made by Mr. Booth, that said bill be referred to a Committee of the Whole House.

And the question being put—It was determined in the affirmative.

Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the motion was agreed to, and

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Weld reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same with sundry amendments.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have passed,

No. 137, C. F. "A bill for an act to provide for assessment and collection of Taxes, from the town of Zarahamla, in Lee county;"

They have rejected No. 73, H. R. File, "A bill creating a permanent School Fund, and for other purposes."

And have receded from their disagreement to the amendment of the Council to No. 95, H. R. File, "An act to provide for the expression of the opinion of the people, relative to the formation of a State Constitution," &c. In which they ask the concurrence of the House of Representatives.

I herewith present, for your signature, two enrolled bills.

And then he withdrew.

The Speaker then signed said enrolled bills.

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House resumed the consideration of No. 141, H. R. File, "A bill for an act to provide for the compensation of the members, officers, and printers of the Legislative Assembly," as reported by the Committee of the Whole House.

The first amendment to the fifth section being read, the question was put, Will the House concur in the amendment made by the Committee to the fifth section? and decided in the negative.

Yeas 11, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Booth, Campbell, Denson, Hebard, Hepner, Leffler, McCulloch, Morgan, Patterson, Quinton, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Felkner, Grant, Higginson, Holliday, Moss, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson.

So the amendment was not concurred in.

The amendment to the 10th section was then read and concurred in.

The question was then put on concurring in the amendment to the 13th section, allowing Van Antwerp and Hughes, for papers furnished the House of Representatives, $491 00.

And determined in the affirmative.—Yeas 24, Nays 1.

YEAS—Messrs. Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

NAYS—Mr. Biggs.

So the amendment was concurred in.

The 14th section was then read, allowing N. Jackson, for papers furnished the House of Representatives, $215 00.

And the question being put on concurring in the same,

Was determined in the affirmatives—Yeas 25, Nays 0.

YEAS—Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch. Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the amendment made by the Committee was concurred in.

The amendments made to the 15th and 20th sections were then read and concurred in.

The amendment made by the Committee to the 18th section, allowing J. T. Fales, for preparing the Journal of the House of Representatives for publication, $350 00, was then read. and the question on concurring in said amendment being put, was decided in the affirmative. Yeas 20, Nays 5.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Quinton, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Grant, Hebard, Higginson, Porter, and Robertson.

So the amendment was agreed to.

Several amendments being read and concurred in, the question was put, on concurring in the amendment made to said bill by the addition of a section, allowing the Secretary of the Territory for fuel and candles furnished the Executive office—$46.

And determined in the affirmative.—Yeas 23, Nays 3.

YEAS—Messrs. Baker, Blair, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

NAYS—Messrs. Biggs, Grant, and Quinton.

So the amendment was agreed to.

The next additional section, allowing Walter Butler for wood, &c. was read and concurred in.

The question was then put, on concurring in the amendment, allowing Wm. Abbey, (Fireman) for cutting wood for the use of this House —$30; and determined in the affirmative—Yeas 14, Nays 12.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Higginson, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

NAYS—Messrs. Biggs, Blair, Grant, Hebard, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

So the amendment was concurred in.

A Message from the Council, by Mr. Woods, their Secretary:

MR. SPEAKER:—The Council have reconsidered their vote of yesterday, on refusing to pass No. 66, H. R. File, "Memorial to Congress for the establishment of a National Armory at Rock Island, and for other purposes," and have passed said Memorial.

The Council have passed—

No. 22, C. F. "A bill to amend the Militia Law;"

No. 62, C. F. "A bill to provide for the inspection of beef, pork, and flour, in this Territory;"

No. 125, C. F. "A bill for an act to amend an act, relative to Divorce, Alimony, and for other purposes;"

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

The House again resumed the consideration of No. 141, H. R. File.

A motion was made by Mr. Weld, to amend the 14th section by striking out $215, and inserting $430, so as to allow N. Jackson 430 dollars for newspapers, &c., during the session.

And the question being put—It was decided in the negatve.

Yeas 9, Nays 17.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Denson, Felkner, Holliday, Patterson, Quinton, Toole, Weld, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Booth, Campbell, Grant, Hebard, Hepner, Higginson, Leffler, McCulloch, Morgan, Moss, Porter, Robertson, Smead, Whitaker, and Wilson.

So the motion was lost.

A motion was then made by Mr. Weld, to amend by adding an entire section allow N. Jackson and Wm. Crum 250 dollars each for printing the abstracts of the proceedings of the Legislative Assembly.

On motion of Mr. Morgan,

The amendment was amended, so as to include "Messrs. Van Antwerp & Hughes."

The question was then put on the amendment as amended, and decided in the negative—Yeas 5, Nays 21.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Holliday, Quinton, Toole, and Weld.

Those who voted in the negative, were, Messrs. Biggs, Blair, Booth, Campbell, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Whitaker, Wilson, and Lewis, Speaker.

So the amendment was lost.

A motion was made by Mr. Leffler, that the 44th rule be suspended and the bill be read a third time now.

To which the House agreed.

The bill was then read a third time; and the quuestion being put, Shall the bill pass?

It was determined in the affirmative—Yeas 21, Nays 5.

YEAS—Messrs, Baker, Blair, Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Moss, Patterson, Qninton, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

NAYS—Messrs. Biggs, Grant, Hebard, Higginson, and Porter.

So the bill passed and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Grant, from the Committee on the Judiciary, to which was referred No. 104, C. F. "A bill for an act to provide for the appointment of Masters in Chancery," &c., reported the same back to the House, and recommended the indefinite postponement of the bill.

A Message from the Council, by Mr. Woods, their Secretary:

MR. SPEAKER—The Council have passed, with amendments,

No. 71, H. R. File, "A bill for an act to amend an act, subjecting Real and Personal Estate to execution."

I herewith present, for your signature, two enrolled bills and a joint resolution and memorial to Congress.

And then he withdrew.

The Speaker then signed said entitled bills, resolution, and memorial.

A motion was made by Mr. Felkner, to take from the table No. 80, C. F. "A bill authorizing the reduction of the minimum price of the unsold lots in Iowa City, and their sale for work and materials and for other purposes."

To which the House agreed.

The bill was then taken up and read a first time.

On motion of Mr. Felkner,

Ordered, That the 44th rule be suspended and the bill be read a second time now.

The bill was then read a second time, and on motion of Mr. Biggs, the 44th rule was again suspended and the bill read a third time and passed.

Ordered, That the Clerk acquaint the Council accordingly.

No. 140 H. R. File, "A bill for an act fixing the prices of printing done for the Legislative Assembly," being the order of the day, was taken up, and being under consideration as reported by the Committee of the Whole House with admendments.

A call of the House was desired by five members and the roll being called, those who failed to answer to their names, were, Messrs. Booth, and Morgan.

The Sergeant-at-Arms was then directed to require the attendance of the absentees. After a short time, the absentees appearing a further call of the House was, on motion, suspended.

The 1st amendment to the 1st section then being read, A motion was made by Mr. Leffler, to strike out "$4.50," and insert $3.26.

And the question being put—It was decided in the negative.

Yeas 12, Nays 14.

YEAS—Messrs. Baker, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

NAYS—Messrs. Biggs, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the motion was lost.

A motion was then made by Mr. Leffler, to strike out $4.50 and insert $4.00.

And the question being put—Was decided in the negative.

Yeas 13, Nays 13.

YEAS—Messrs. Blair, Denson, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

NAYS—Messrs. Baker, Biggs, Booth, Campbell, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

So the motion was lost.

The question then being put on concurring in the amendment made by the Committee—It was determined in the negative.

Yeas 13, Nays 13.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

NAYS—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robeetson, Smead, Toole, Whitaker, and Wilson.

So the amendment was disagreed to.

The question was then taken on the amendment to the 12th line, allowing for the printing of the Journal of the Council per page $2.00.

And determined in the negative—Yeas 13, Nays 13.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

NAYS—Messes. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smeak, Toole, Whitaker, and Wilson.

So the amendment was not concurred in.

The question was then put on the amendment to the 13th line, allowing for the printing of the Journal of the House of Representatives, per page, $2.25, and determined in the negative.

Yeas 13, Nays 13.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

NAYS—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

The question next recurred on concurring in the amendment to the 14th line, allowing for printing fifty copies of any bill or memorial, in pica type, per page, $3.00.

And being put—It was decided in the negative—Yeas 12, Nays 14.

Yeas—Messrs. Baker, Booth, Campbell, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

Nays—Messrs. Biggs, Blair, Denson, Grant, Hebard Higginson, Leffler, Moss, Porter, Robertson, Smead. Toole, Whitaker, and Wilson.

So the amendment was disagreed to.

The question was then put on concurring in the amendment to the 15th line, and determined in the negative—Yeas 12, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair. Denson, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

So the amendment was not concurred in.

The question was then taken, on concurring in the amendment to the 17th line, allowing for printing reports, &c., per page, octavo form, $2.00, and determined in the negative—Yeas 13, Nays 13.

Yeas—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

Nays—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

So the amendment was disagreed to.

The second section was then read, and concurred in.

A motion was made by Mr. Lewis, that said bill be indefinitely postponed.

And the question being put—Was determined in the affirmative. Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the bill was indefinitely postponed.

On motion of Mr. Felkner,

No. 143, H. R. File, as amended by the Council, was taken up, the amendments read, and concurred.

On motion of Mr. Toole,

No 142, H. R. File, as amended by the Council, was taken from the table, the amendments read and concurred in by the House.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed, with amendments,

No. 134, H. R. File, "A bill for an act to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate."

In which they ask the concurrence of the House of Representatives.

And then he withdrew.

No. 82, H. R. File, being returned from the Council with amendments, was taken up, the same read, and concurred in.

No. 85, H. R. File, having been returned from the Council, amended, was taken up, and the amendment being read,

A motion was made by Mr. Moss, that the House disagree to the same. To which the House agreed.

No. 71, H. R. File, as amended by the Council, was taken up, the amendments read, and severally disagreed to by the House.

No. 129, H. R. File, having been returned from the Council with amendments, was taken up, the same read, and serverally concurred in.

Nos. 23, 101, 102, 110, and 134, H. R. File, having been returned from the Council amended, were taken up, the amendments to each severally read and concurred in by the House.

On motion of Mr. Patterson,

The House adjourned until 7 o'clock, this evening.

7 O'CLOCK, P. M.

No. 114, H. R. File, "A Memorial to Congress, relative to the contiguous sections of land to Iowa City.

No. 139, H. R. F. "A bill to re-locate that portion of the Territorial Road from Fairfield, in Jefferson county, to Wapello, in Louisa county, that lies between Checauque river and Jefferson, in Henry county;"

And, No. 145, H. R. File, "A bill for an act to divorce Clarissa Welch from her husband Samuel C. Welch;" were severally read a third time, and passed.

Ordered, That the Clerk notify the Council therewith.

No. 149, H. R. File, "A bill for an act to divorce Rebecca Fisher from her husband John Fisher," was read a third time.

Pending the question on the passage of said bill,

A call of the House was desired by five members; and the roll being called, those who failed to answer to their names, were, Messrs. Biggs, Blair, Campbell, Leffler, Smead, and Wilson.

The Sergeat-at-Arms was then directed to require the attendance of the absentee. After some time, the absentees appearing, a further call of the House was, on motion, suspenped.

The question was then put, Shall the bill pass?

It passed in the affirmative—Yeas 16, Nays 10.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Higginson, Holliday, McColloch, Patterson, Porter, Quinton, Robertson, Smead, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Hepner, Leffler, Morgan, Moss, Weld, and Wilson.

So the bill passed, and its title was agreed to.

Ordered, That the Clerk notify the Council therewith.

A motion was made by Mr. Robertson, to re-consider the vote given on the disagreement of the House to the amendment of the Council to No. 85, H. R. File. To which the House agreed.

The question was then taken on concurring in the amendment made by the Council, and determined in the negative.

Mr. Weld, on leave, offered the following:

Resolved, That the Select Committee, to whom was referred the petition of George Collins, of Des Moines county, praying a divorce from his wife, be instructed to report to this House, by bill or otherwise, on to-morrow.

Ordered, That said resolution do lie upon the table.

No. 136, H. R. File, "Joint Resolution in relation to the claims of James G. Edwards and others," was read a second time.

A motion was made by Mr. Hepner to lay said resolution upon the table. And the question being put—It was decided in the affirmative.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Toole, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, and Wilson.

So the resolution was laid upon the table.

No. 146, H. R. File, "A bill for an act to re-locate a part of a Territorial Road, in Washington county," was read a second time.

Ordered, That the 44th rule be suspended, and the bill be read a time now.

The bill was then read a third time, and passed.

Ordered, That the Clerk acquaint the Council accordingly.

No. 147, H. R. File, "A bill for an act to change the names of certain towns and rivers," was read a second time.

On motion of Mr. Patterson,

The House resolved itself into a Committee of the Whole House for the consideration of said bill. After some time spent therein,

Mr. Speaker resumed the Chair, and Mr. Whitaker reported, that the Committee had. according to order, had said bill under consideration, and instructed him to report the same with amendments.

To which the House agreed.

Ordered, That the 44th rule be suspended, and the bill be read a third time now.

The bill was then read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 148, H. R. File, "A bill for an act to change the name of the town of "Vandenburg," in Clinton county, to that of "De Witt," was read a second time.

Ordered, That the 44th rule be suspended, and the bill be read a third time now.

The bill was then read a third time, and passed.

Ordered, That the Clerk notify the Council therewith.

No. 83, C. F. "A bill for an act to incorporate the Cedar Rapids Manufactoring Company," was read a second time, together with the report of the Committee on Corporations.

A motion was made by Mr. Moss, that said bill be indefinitely postponed.

And the question being put—It was decided in the negative.

Yeas 7, Nays 18.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Blair, Grant, Hebard, Holliday, Leffler, Moss, and Whitaker.

Those who voted in the negative, were, Messrs. Baker, Biggs, Booth, Campbell, Denson, Felkner, Hepner, Higginson, McCulloch, Morgan, Patterson, Porter, Quinton, Robertson, Smead, Toole, Wilson, and Lewis, Speaker.

So the motion was lost.

The Report of the Committee was then concurred in, and the bill ordered to a third reading on to-morrow.

Mr. Hebard, from the Select Committee, to which was referred No. 92, H. R. File, "A bill for an act to amend the several acts relative to the organization of the Militia of this Territory," reported the same back to the House with amendments.

No. 86, C. F. "A bill for an act to amend an act to provide for the appointing Justices of the Peace, to prescribe their powers and duties, and to regulate their proceedings," was taken up, as reported by the Committee on the Judiciary, with amendments, and being under consideration, the report was concurred in, and the bill ordered to a third reading on to-morrow.

The report of the Committee on the Judiciary, in relation to No. 115, H. R. File, was taken up, and concurred in, and,

On motion of Mr. Moss,

The 44th rule was suspended, and the bill read a third time, and passed.

Ordered, That the Clerk notify the Council therewith.

On motion of Mr. Biggs,

The House adjourned until to-morrow morning at 9 o'clock.

Wednesday Morning, February 16, 1842.

On motion of Mr. Leffler,

Ordered, That the 44th rule be suspended for the remainder of the session.

A call of the House was desired by five members, and the roll being called, those who failed to answer to their names, were, Messrs. Booth, Campbell, Hebard, Hepner, McCulloch, Morgan, Moss, Porter, and Wilson.

The Sergeant-at-Arms was then directed to require the attendance of the absentees. After a short time, the absentees appearing, a further call of the House was, on motion, suspended.

Mr. Weld, on leave, introduced No. 150, H. R. File, "A Joint Resolution, to remove the seat of government to Mount Pleasant until the Capitol at Iowa City is finished," which was read a first time.

Ordered, That the resolution be read a second time now.

The resolution was then read a second time, and, on motion of Mr. Grant, the word "temporary" was inserted in the same.

A motion was then made by Mr. Felkner, to lay the resolution upon the table.

And the question being put—It was determined in the negative.

Yeas 13, Nays 13.

Those who voted in the affirmative, were, Messrs. Baker, Booth, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Robertson, Toole, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Campbell, Grant, Hebard, Higginson, Leffler, Patterson, Porter, Quinton, Smead, Weld, and Wilson.

So the motion was lost.

A motion was made by Mr. Porter, to amend the resolution by inserting the following proviso, to wit:

Provided, That the citizens of Mount Pleasant will furnish buildings, rent free." To which the House agreed.

A motion was made by Mr. Booth, to lay the resolution upon the table until Saturday next.

And the question being put—It was determined in the affirmative.

Yeas 13, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Denson, Felkner, Hepner, Higginson, Holliday, McCulloch, Morgan, Moss, Robertson, Toole, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Campbell, Grant, Leffler, Patterson, Porter, Quinton, Smead, Weld, Whitaker, and Wilson.

So the resolution was laid upon the table until Saturday next.

The report of the Committee on the Judiciary, recommending the indefinite postponement of No. 104, C. F. "A bill for an act for the appointment of Masters in Chancery, and to prescribe their duties in certain cases," was taken up and concurred in.

So the bill was indefinitely postponed.

Mr. Toole, from the Committee on Enrollments, reported Nos. 55, 81, 95' 116, and 142, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

Mr. Hepner, from the Committee on Enrollments, reported that they had presented to the Governor, for his approval, on the 15th inst.,

"An act to authorize David G. Bates and John Forbes to establish and keep a Ferry across the Mississippi river;"

"A Resolution, requesting our Delegate to procure the survey of certain Islands in the Mississippi river;"

"An act relative to the survey of the town of Marion;"

"An act to revive and amend an act to incorporate the Bloomington Insurance Company;"

Also, on this day—

"An act to locate and establish a Territorial Road from Crawfordsville, in Washington county, to Smith's Mills, in Henry county;"

"An act to divorce Seth Baker from Sally Baker;"

"An act to provide for levying a tax on real and personal property, for road purposes;"

"An act making the Clerk of the Board of County Commissioners elective by the people;"

"An act to authorize Samuel Wells to build a dam across Skunk river;"

"An act to authorize John R. Sloan to keep a Ferry across the Mississippi River;"

"An act repealing a portion of an act to locate and establish a Territorial Road from Dubuque to Camp Atkinson;"

"An act to amend an act, establishing the Court of Probate;"

"An act relative to the navigation of the Maquoqueta river;" and,

"An act to divorce John E. Ely from Minerva Ely."

No. 92, H. R. File, "A bill amendatory of the several acts relative to the organization of the Militia of this Territory," was read a second time.

A motion was made by Mr. Quinton, that said bill be indefinitely postponed.

And the question being put—It was determined in the negative.

Yeas 11, Nays 14.

Yeas—Messrs. Baker, Biggs, Denson, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Whitaker, and Lewis, Speaker.

Nays—Messrs. Blair, Campbell, Felkner, Grant, Hebard, Hepner, Higginson, Leffler, Porter, Robertson, Smead, Toole, Weld, and Wilson.

So the motion was lost.

A motion was made by Mr. Quinton, to strike out the 8th section of said bill.

And the question being put—It was decided in the negative.

Yeas 12, Nays 13.

The yeas and nays being desired by two members:

Those who voted in the affirmative, were, Messrs. Biggs, Denson, Felkner, Holliday, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Blair, Campbell, Grant, Hebard, Hepner, Higginson, Leffler, Robertson, Smead, Toole, Weld, and Wilson.

So the motion was lost.

Ordered, That the bill be read a third time now.

The bill was then read a third time.

And the question being put, Shall the bill pass?

It passed in the affirmative—Yeas 14, Nays 11.

Yeas—Messrs. Blair, Campbell, Felkner, Grant, Hebard, Hepner, Higginson, Leffler, Porter, Robertson, Smead, Toole, Weld, and Wilson.

Nays—Messrs. Baker, Biggs, Denson, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Whitaker, and Lewis, Speaker.

So the bill passed, and the title being read, a motion was made by

Mr. Quinton, to amend the same, so as to read, "A bill to abolish the Militia System, and to prevent the collection of taxes."

And the question being put—It was determined in the negative.

Yeas 8, Nays 17.

The yeas and nays being desired by two members:

Those who voted in the affirmative, were, Messrs. Baker, Biggs, Denson, Holliday, Morgan, Moss, Quinton, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Blair, Campbell, Felkner, Grant Hebard, Hepner, Higginson, Leffler, McCulloch, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, and Wilson. So the motion to amend the title was lost.

Mr. Grant, on leave, reported No. 151, H. R. File, "A Resolution for the meeting of the Legislative Assembly at Davenport," which was read a first time.

A motion was made by Mr. Hepner, to lay said resolution upon the table. Pending which,

A call of the House was had, and the absentees sent for. After a short time, a further call of the House was, on motion, suspended.

The question then being put—It was decided in the affirmative.

Yeas 15, Nays 11.

Yeas—Messrs. Baker, Blair, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Toole, and Lewis, Speaker.

Nays—Messrs. Biggs, Grant, Hebard, Higginson, Leffler, Porter, Robertson, Smead, Weld, Whitaker, and Wilson.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed,

No. 115, H. R. File. "A bill for an act to authorize James Leonard to establish and keep a Ferry across the Mississippi river at the town of Charleston, in Jackson county;"

No. 139, C. F. "A bill to re-locate a part of a Territorial Road in Louisa county;"

No. 141, C. F. "A bill for an act to amend an act, entitled An act to provide for the erection of a Penitentiary," &c., approved January 15, 1841.

The Council have agreed to the amendments made by the House of Representatives to No. 115, C. F. "A bill supplemental to an act regulating Criminal Proceedings."

The Council insist upon their amendment to No. 71, H. R. File, "A bill for an act to amend an act, subjecting Real and Personal Estate to execution." In which they ask the concurrence of the H. of R.

The Council have passed, with amendments, No. 131, H. R. File, "A bill for an act to establish an Insurance Company in the city of Dubuque."

The Council have postponed, until the sixth of December, 1842,

No. 138, H. R. File, "A bill for an act to establish the Des Moines Insurance Company, at the city of Burlington."

And then he withdrew.

Mr. Lewis, on leave, introduced No. 152, H. R. File, "A resolution to provide for the meeting of the Legislative Assembly at Iowa City," which was read a first and second time.

A motion was made by Mr. Felkner, to strike out the proviso in the resolution. And, after debate, Mr. Biggs moved the previous question.

The question was then put, Shall the main question be now put?

And determined in the affirmative.

The question was then put, on striking out the proviso in the resolution, and determined in the negative.

A motion was then made by Mr. Leffler, to strike out the words "Iowa City," and insert the word "Burlington."

Mr. Booth called for a division of the question.

The question then recurring on striking out "Iowa City," and being put—It was decided in the affirmative—Yeas 14, Nays 12.

YEAS—Messrs. Biggs, Blair, Campbell, Grant, Hebard, Hepner, Leffler, McCulloch, Morgan, Porter, Smead, Weld, Whitaker, and Wilson.

NAYS—Messrs. Baker, Booth, Denson, Felkner, Higginson, Holliday, Moss, Patterson, Quinton, Robertson, Toole, and Lewis, Speaker.

So "Iowa City" was stricken out; and, after debate,

The previous question was called for, and the question being put, Shall the main question be now put?—It was determined in the affirmative.

The question was then put, on inserting the words "the City of Burlington," in said resolution, and determined in the negative.

Yeas 12, Nays 14.

YEAS—Messrs. Blair, Campbell, Grant, Hebard, Hepner, Leffler, Morgan, Porter, Smead, Weld, Whitaker, and Wilson.

NAYS—Messrs. Baker, Biggs, Booth, Denson, Felkner, Higginson, Holliday, McCulloch, Moss, Patterson, Quinton, Robertson, Toole, and Lewis, Speaker.

So the motion to insert Burlington, was lost.

A motion was then made, by Mr. Patterson, to fill the blank with "Fort Madison."

A motion was made by Mr. Wilson, to amend the motion by inserting "Mount Pleasant."

Pending which, the previous question was called for;

And the question being put, Shall the main question be put now?

It was determined in the affirmative.

The previous question, being to insert "Fort Madison," was then put, and decided in the affirmative—Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Booth, Campbell, Denson, Felkner, Hebard, McCulloch, Patterson, Porter, Quinton, Smead, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hepner, Higginson, Holliday, Leffler, Morgan, Moss, Robertson, and Toole.

So the blank was filled with the words "Fort Madison," requiring the Legislative Assembly to meet at said place, at their next session, and until the public buildings are finished at Iowa City."

A motion was made by Mr. Robertson, that said resolution be indefinitely postponed.

And the question being put—It was determined in the affirmative.

Yeas 14, Nays 12.

YEAS—Messrs. Biggs, Blair, Booth, Denson, Felkner, Hepner, Higginson, Holliday, Morgan, Moss, Quinton, Robertson, Smead, and Toole.

NAYS—Messrs. Baker, Campbell, Grant, Hebard, Leffler, McCulloch, Patterson, Porter, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the resolution was indefinitely postponed.

The report of the Committee on the Judiciary, in relation to No. 116, C. F. "A bill for an act amending an act regulating Practice in the District Courts," recommending the indefinite postponement of the same, was taken up, and concurred in.

So the bill was indefinitely postponed.

No. 127, C. F. "A bill to divorce J. V. Hill from his wife Eliza Hill, was read a second and third time.

The question then being put, Shall the bill pass?

It passed in the affirmative—Yeas 12, Nays 10.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Baker, Campbell, Denson, Felkner, Grant, Higginson, Leffler, McCulloch, Patterson, Quinton, Smead, and Whitaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Hebard, Hepner, Holliday, Morgan, Moss, Toole, Weld, and Wilson.

So the bill passed, and the title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Hepner, from the Committee on Enrollments, reported that they had presented to the Governor for his approval, on this day;

"An act for the relief of the Poor;"

"An act to locate a Road from Fairfield to the Forks of Skunk river;"

An act to vacate the survey and plat of a part of the town of Toolsborough, in Louisa county;"

"An act to provide for the expression of the opinion of the people of the Territory of Iowa, upon the subject of the formation of a State Constitution and Government, and to enable them to form a Constitution for the State of Iowa;"

"An act to authorize Joseph Stevens to build a Dam across Skunk river."

An act to amend an act entitled An act to prevent and punish Gaming;"

"An act to re-locate a Territorial Road in Clinton county;"

"An act amendatory of an act, to regulate Ferries," approved Dec. 20th, 1838;"

A Joint Resolution relative to Steam Boat Canal around the Lower Rapids of the Mississippi;"

"A Memorial to Congress for an appropriation to complete the National Road from Dubuque to the Southern Boundary of the Territory, via Iowa City," &c.

On motion of Mr. Whitaker,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

No. 128, C. F. "A bill relative to the survey of the town of Salem," was read a second time.

On motion of Mr. Grant,

The bill was amended by inserting after the word "Salem," the words "Muscatine county." The same was then read a third time, and passed.

Ordered, That the Clerk notify the Council therewith.

No. 130, C. F. "A bill for the relief of James Davis, former of Muscatine county," was read a second and third time and passed.

Ordered, That the Clerk acquaint the Council accordingly.

No. 131, C. F. "A bill for the re-location of a portion of the Territorial Road from Davenport to Marion," was read a second time.

On motion of Mr. Higginson,

Ordered, That said bill be indefinitely postponed.

No. 86, C. F. "A bill for an act to amend an act to provide for the appointing Justices of the Peace, to prescribe their powers, and to regulate their proceedings;" and,

No. 83, C. F. "A bill to incorporate the Cedar Rapids Manufactoring Company," were each read a third time, and passed.

Ordered, That the Clerk acquaint the Council accordingly.

No. 71, H. R. File, having been returned from the Council with their amendments insisted upon, and being under consideration,

A motion was made by Mr. Biggs, that the House do insist upon their disagreement. To which the House agreed.

On motion of Mr. Baker,

Messrs. Baker, Biggs, and Porter, were appointed a Committee of Conference in relation to said disagreement.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have passed

No. 37, H. R. File, "A bill to incorporate the Mount Pleasant Literary Institute."

I herewith present for your signature, three enrolled bills.

And then he withdrew.

The Speaker then signed said enrolled bills.

No. 131, H. R. File, being returned from the Council amended, was taken up, the amendments read, and concurred in.

No. 22, C. F. "A bill to amend the Militia Law;" and,

No. 50, C. F. "A bill for an act supplementary to an act, regulating Marriages;" were each read a first time.

No. 62, C. F. "A bill to provide for the inspection of beef, pork, and flour in this this Territory," was read a first and second time.

On motion of Mr. Biggs,

The House resolved itself into a Committee of the Whole House on said bill. After some time spent therein.

Mr. Speaker resumed the Chair, and Mr. Baker reported, that the Committee had, according to order, had said bill under consideration, and instructed him to report the same without amendment.

To which the House agreed.

On motion of Mr. Hebard,

Ordered, That said bill be laid upon the table.

No. 129, C. F. "A bill to establish certain Territorial Roads," was read a first time.

On motion of Mr. Higginson,

Ordered, That said bill be rejected.

No. 109, C. F. "A bill to incorporate the Iowa City Fire Engine Company," was read a first time, and, on motion of Mr. Biggs, laid upon the table.

No. 121, C. F. "A bill for an act to amend an act, relative to Wills and Testaments," &c. was read a first and second time.

On motion of Mr. Biggs,

Ordered, That said bill do lie upon the table until the first day of December next.

No. 124, C. F. "A bill for an act to authorize William H. Lloyd to keep a Ferry at, Lloyd's Ford, on Skunk river," was read a first and second time.

A motion was made by Mr. Whitaker, that said bill be indefinitely postponed.

And the question being put—It was determined in the affirmative.

Yeas 17, Nays 6.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative were, Messrs. Baker, Biggs, Blair, Denson, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, Leffler, Morgan, Moss, Robertson, Toole, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Campbell, McColloch, Patterson, Quinton, Smead, and Weld.

So the bill was indefinitely postponed.

No. 125, C. F. "A bill for an act to amend an act relative to Divorce, Allimony, and for other purposes," was read a first and second time.

A motion was made by Mr. Grant, that said bill be indefinitely postponed.

And the question being put—It was determined in the negative.

Yeas 13, Nays 13.

Yeas—Messrs. Biggs, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, Moss, Porter, Robertson, Smead, and Wilson.

Nays—Messes. Baker, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Patterson, Quinton, Toole, Weld, Whitaker, and Lewis, Speaker.

So the motion was lost.

A motion was then made by Mr. Higginson to lay said bill upon the table, until the 4th of July next.

And the question being put—It was determined in the affirmative.

Yeas 14, Nays 12.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Biggs, Blair, Felkner, Grant, Hebard, Higginson, Holliday, Leffler, Moss, Porter, Quinton, Robertson, Smead, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Hepner, McCulloch, Morgan, Patterson, Toole, Weld, Whitaker, and Lewis, Speaker.

So the bill was laid on the table.

A motion was made by Mr. Denson, to take from the table No. 27. C. F. "A Memorial to Congress for the establishment of a Land Office at Marion, in Linn county." The motion was lost.

No. 126, C. F. "A bill for the re-location of a part of a Territorial Road from Iowa City to Prairie du Chien;" and,

No. 132, "A bill relative to the Davenport Institute," were each read a first, second, and third times, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 132, C. F. "A bill relative to officers of the Legislative Assembly," was read a first, second, and third times.

A motion was made by Mr. Quinton, to lay said bill upon the table until the first Monday in December next.

And the question being put—It was determined in the negative.

Yeas 6, Nays 20.

Yeas—Messrs. Baker, Blair, Campbell, Hepner, Holliday, and Quinton.

Nays—Messrs. Biggs, Booth, Denson, Felkner, Grant, Hebard, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

So the motion was lost.

The question was then put, Shall the bill pass?

It passed in the affirmative—Yeas 19, Nays 7.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Booth, Felkner, Grant, Hebard, Higginson, Leffler, McCulloch, Morgan, Moss, Patterson, Porter, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Blair, Campbell, Denson, Hepner, Holliday, and Quinton.

Mr. Porter, on leave, reported No. 153, H. R. File, "A Joint Resolution, repealing the third section of an act, fixing the time of the annual meeting of the Legislative Assembly," which was read a first time.

No. 134, C. F. "A Memorial to Congress, for an appropriation for the compensation of James M. Morgan," was read a first, second, and third times, and passed.

Ordered, That the Clerk notify the Council therewith.

No. 135, C. F. "A bill to amend an act to incorporate the town of Bloomington," was read a first time.

On motion of Mr. Biggs,

Ordered, That the House refuse to entertain said bill, on account of the deficiency of an enacting clause.

Ordered, That the Clerk notify the Council accordingly.

No. 137, C. F. "A bill for an act to provide for the assessment and collection of Taxes from the town of Zarahamla, in Lee county;" and,

No. 139, C. F. "A bill to re-locate a part of a Territorial Road in Lonisa county," were severally read a first, second, and third time, and passed.

Ordered, That the Clerk notify the Council therewith.

No. 141, C. F. "A bill for an act to amend an act, to provide for the erection of a Penitentiary," &c., was read a first time.

On motion of Mr. Patterson,

Ordered, That the bill be read a second time now.

The bill was then read a second time, and, on motion of Mr. Whitaker, laid upon the table until to-morrow.

On motion of Mr. Porter,

The House adjourned until 7 o'clock, this evening.

7 O'CLOCK, P. M.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—The Council have passed, with amendments,

No. 141, H. R. File, "A bill for an act to provide for compensation of members, officers, and printers of the Legislative Assembly, and other purposes."

The Council have passed—

No. 92, H. R. F. "A bill amendatory of an act to organize, discipline, and govern the Militia of this Territory," &c.,

No. 142, C. F. "Joint Resolution relative to the printing of the Laws of the present session;"

No. 139, H. R. File, "A bill to re-locate that portion of the Territorial Road from Fairfield, in Jefferson county, to Wapello, in Louisa county, that lies between Checauque river and Jefferson, in Henry county;"

No. 146, H. R. File, "A bill for an act to re-locate a part of a Territorial Road, in Washington county;"

No. 114, H. R. File, "Memorial to Congress, relative to the contiguous sections of land to Iowa City;"

No 145, H. R. File, "A bill for an act to divorce Clarissa Welch from her husband Samuel C. Welch;"

No. 149, H. R. File, "A bill for an act to divorce Rebecca Fisher from her husband John Fisher;"

No. 148, H. R. File, "A bill for an act to change the name of the town of Vandenburg, in Clinton county, to that of "De Witt;"

No. 135, C. F. "A bill to amend an act to incorporate the town of Bloomington;"

The Council have passed, with amendments—

No. 147, H. R. File, "A bill for an act to change the names of certain Towns and Rivers;"

In all of which they ask the concurrence of the House of Representatives.

I herewith present, for your signature, four enrolled bills.

And then he withdrew.

The Speaker then signed said enrolled bills.

No. 141, H. R. File, "A bill for an act to provide for compensation of members, officers, and printers of the Legislative Assembly, and for other purposes," having been returned from the Council with amendments, was taken up, and being under consideration,

A motion was made by Mr. Grant, to amend the 16th section, by striking out "$2,674 44," and inserting "$2,196 00."

And the question being put—It was decided in the negative.

Yeas 12, Nays 14.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the motion to amend was lost.

The question was then taken on concurring in the amendment made by the Council, and determined in the affirmative.

Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the amendment made by the Council was concurred in.

The amendment to the 17th section, striking out $150, and inserting $350, allowing J. W. Woods $350 for overseeing, &c., the printing of the Journal of the Council, was then read and concurred in.

The amendment to the 19th section was also read and concurred in.

The amendment to the 20th section then being read, allowing W. W. Coriell, for printing the Journal of last session of the House of Representatives, $900 00.

The question was then put, Will the House concur in the amendment of the Council? It was decided in the affirmative.

Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the amendment was concurred in.

The amendment to the 21st section, allowing Russell & Hughes $750 for printing the Journal of the Council of the last session," being read, the question was put, Will the House agree to the amendment of the Council to the 21st section? and decided in the affirmative.

Yeas 14, Nays 12.

Yeas—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Nays—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the amendment was concurred in.

The amendments to the 22d and 25th sections were then read and concurred in.

The amendment to the 33d section, allowing N. Jackson, for papers furnished the Council, $118, then being read,

A motion was made by Mr. Felkner, to amend the same, by striking out the name of "N. Jackson," and inserting the name of E. M. Burt."

And the question being put—It was determined in the negatve.

The amendment of the Council was then concurred in.

The amendment to the 37th section, allowing B. W. Gillock $26 for services rendered the Secretary of the Territory," was read, and

A motion was made by Mr. Felkner, to amend the same by adding the following: "To W. S. Gilbert, the sum of $12, for four days' work, assisting the Enrolling and Engrossing Clerks."

And the question being put—It was determined in the negative.

The question then recurring on the amendment of the Council, and being put—It was decided in the negative—Yeas 13, Nays 13.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, Whitaker, and Wilson.

So the amendment was disagreed to.

The amendment to the 39th section, allowing Morgan Reno 76 dollars for services rendered the Secretary, fuel and candles furnished the Library, being read, the question was put on concurring in the same, and decided in the affirmative—Yeas 20, Nays 6.

Yeas—Messrs. Baker, Blair, Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Porter, Qninton, Robertson, Smead, Toole, Weld, Whitaker, and Lewis, Speaker.

Nays—Messrs. Biggs, Grant, Hebard, Higginson, Moss, and Wilson.

A motion was made by Mr. Leffler, to re-consider the vote given on disagreeing to the amendment to the 37th section.

To which the House agreed.

The question then recurred on concurring in the amendment.

And being put—It was decided in the affirmative—Yeas 22, Nays 4.

The yeas and nays being desired by two members,

Those who voted in the affirmative were Messrs. Baker, Blair, Booth, Campbell, Denson, Felkner, Hebard, Hepner, Higginson, Holliday, Leffler, McCulloch, Morgan, Patterson, Porter, Quinton, Robertson, Smead, Toole, Weld, Wilson, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Grant, Moss, and Whitaker.

The amendment to the 44th section, allowing E. J. Darken for making abstracts of the Journal of the Council for the printers, $75, being under consideration,

The question was put—Will the House concur in the amendment of the Council to the 44th section, and determined in the affirmative.

Yeas 14, Nays 12.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

NAYS—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the amendment was agreed to.

The remaining amendments were then severally read and concurred in.

Ordered, That the Clerk acquaint the Council accordingly.

No. 147, H. R. File, as amended by the Council, was taken up, the amendments read, and concurred in.

No. 135, C. F. "A bill to amend an act to incorporate the town of Bloomington," was read a first, second, and third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 142, C. F. "Joint Resolution, relative to the printing of the Laws of the present session," was read a first and second time.

Mr. Grant offered a substitute for said resolution.

And the question being, Shall the substitute be adopted?

It was determind in the negative—Yeas 10, Nays 16.

The yeas and nays being desired by two members.

Those who voted in the affirmative were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Porter, Robertson, Toole, and Wilson

Those who voted in the negative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Moss, Patterson, Quinton, Smead, Weld, Whitaker, and Lewis, Speaker.

So the substitute was not adopted.

Mr. Quinton moved to fill the blank in the resolution from the Council with the words "Van Antwerp and Hughes."

And the question being put—It was decided in the affirmative.

A motion was made by Mr. Booth to strike out of the 2d resolution the word "twelve," and insert the word "eleven," so as to allow the printers eleven hundred dollars for printing the Laws of the present session.

A motion was made by Mr. Higginson, to amend the amendment so as to allow the printers 15 per cent. above Congress prices.

On which the main question was called for; and the question was then put, Shall the main question be now put?

It was decided in the affirmative—Yeas 14, Nays 12.

YEAS—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

NAYS—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the previous question was ordered, and being put—It was decided in the affirmative.

A motion was made by Mr. Booth, to strike out of the 3d resolution $455, and insert $500, being the amount allowed the Secretary for indexing and distributing the laws.

And the question being put—It was decided in the affirmative.

Yeas 15, Nays 11.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, Leffler, McCulloch, Morgan, Patterson, Quinton, Weld. Whitaker, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the amendment was agreed to.

Mr. Leffler then offered a substitute for the Joint Resolution.

And the question being put, Will the House adopt the substitute?

It was determined the negative—Yeas 12, Nays 14.

Yeas—Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

Nays—Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

So the substitute was lost.

The original resolutions were then read a third time. And the question being put, Shall the resolutions pass?

They passed in the affirmative—Yeas 14, Nays 12.

The yeas and nays being desired by two members,

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Denson, Felkner, Hepner, Holliday, McCulloch, Morgan, Patterson, Quinton, Weld, Whitaker, and Lewis, Speaker.

Those who voted in the negative were, Messrs. Biggs, Blair, Grant, Hebard, Higginson, Leffler, Moss, Porter, Robertson, Smead, Toole, and Wilson.

So the resolutions were passed.

No. 50, C. F. "A bill supplementary to an act, regulating Marriages," was read a second and third time, and passed.

No. 22, C. F. "A bill to amend the Militia Laws," was read a second and third time, and passed.

No. 36, C. F. "Memorial for the establishment of a Land Office at Fairfield, in Jefferson county," was read a second and third time.

And the question being put, Shall the Memorial pass?

It passed in the affirmative—Yeas 17, Nays 8.

Yeas—Messrs. Baker, Biggs, Blair, Booth, Denson, Higginson, Holliday, Leffler, McCulloch, Morgan, Patterson, Porter, Quinton, Smead, Whitaker, Wilson, and Lewis, Speaker.

Nays—Messrs. Felkner, Grant, Hebard, Hepner, Moss, Robertson, Toole, and Weld.

So the Memorial passed.

No. 27, C. F. "Memorial to Congress for the establishment of a Land Office at Marion, Linn county," was read a second and third time.

And the question was then put, Shall the memorial pass?

It passed in the affirmative—Yeas 22, Nays 3.

Yeas—Messrs. Baker, Biggs, Blair, Booth, Denson, Grant, Hebard, Higginson, Holliday, Leffler, McCulloch, Morgan, Patterson, Porter, Quinton, Robertson, Smead, Toole, Weld, Whitaker, Wilson, and Lewis, Speaker.

NAYS—Messrs. Felkner, Hepner, and Moss.

So the Memorial passed.

Ordered, That the Clerk acquaint the Council accordingly.

On motion,

The House adjourned until to-morrow morning at 9 o'clock.

Thursday Morning, February 17, 1842.

Mr. Toole, from the Committee on Enrollments, reported Nos. 23, 66, 83, 101, 115, 134, 129, 143, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

Mr. Whitaker, from the Committee on Records, reported the Journal to be correctly recorded up to the 15th inst.

Mr. Biggs, from the Committee of Conference on the disagreement between the two Houses on the amendments of the Council to No. 39, H. R. File, "A Memorial to Congress for the establishment of Mail Routes in this Territory," reported, that the Committee, on the part of the Council, have agreed to recede from all of said amendments.

The report was concurred in.

Mr. Grant, from the Committee on the Judiciary, to whom was referred No. 16, C. F. "A bill for an act to attach the Indian Country west and north, to the several organized counties of this Territory which it adjoins, for judicial purposes," reported the same back to the House, and recommended the indefinite postponement of the same.

Mr. Grant, from the Committee on the Judiciary, to which was referred the petition of Ithiel Corbit, praying a law to be passed, authorizing the County Commissioners of Jackson county, to compensate him for a portion of his claim upon which the county seat of said county was located," reported the same back to the House without any definite action upon the same.

Mr. Grant, from the same Committee, reported back the petition of sundry citizens of Scott county.

Mr. Booth, from Committee on Public Buildings, to which was referred No. 3, C. F. "A bill supplementary to an act providing for the appointing of an Acting Commissioner at Iowa City," reported the same back to the House and recommended its passage.

On motion of Mr. Booth,

Ordered, That said bill be read a third time now.

The bill was then read a third time, and passed.

Ordered, That the Clerk acquaint the Council accordingly.

A motion was made by Mr. Quinton, to re-consider the vote of yesterday, given on laying on the table No. 125, C. F. "A bill amending the act relative to Divorce, Alimony, and for other purposes."

To which the House agreed.

The bill was then read a second time.

A motion was made by Quinton, to strike out the 5th section of said bill. And the question being put—It was determined in the affirmative.

Yeas 16, Nays 4.

The yeas and nays being desired by two members,

Those who voted in the affirmative were, Messrs. Biggs, Booth, Felkner, Grant, Hebard, Hepner, Higginson, Holliday, McCulloch, Moss, Patterson, Quinton, Robertson, Toole, Wilson, and Lewis, Speaker.

Those who voted in the negative, were, Messrs. Baker, Campbell, Weld, and Whitaker.

So the 5th section was stricken out.

The bill was then passed, and the title agreed to.

Ordered, That the Clerk notify the Council accordingly.

Mr. Grant in the Chair, officiating as Speaking, Mr. Wnitaker offered the following, which was unanimously adopted:

Resolved, That a vote of thank be given to the Honorable Warner Lewis, for the able and impartial manner in which he has discharged the duties of Speaker of this House during the present session.

Mr. Hepner, *from* the Committee on Enrollments, made the following report:

The Joint Committee on Enrollments, presented to his Excellency the Governor, on the 17th inst., for his approval—

A Memorial to Congress for the establishment of a National Armory at Rock Island, and for other purposes;

An act to authorize Boards of Commissioners to appoint Agents to dispose of Real Estate;

A Resolution for the relief of Walter Butler;

An act to locate and establish a Territorial Road, from Charles Nealy's, in Muscatine county, to Iowa City, in Johnson county;

A Resolution for the relief of John Lorton and Hawkins Taylor;

An act to provide for receiving the portion of money to which Iowa will be entitled under the Distribution act;

An act to authorize James Leonard to establish and keep a Ferry across the Mississippi river, at the town of Charleston, in Jackson county;

An act for the organization of Townships; and,

An act to authorize the establishment of Poor Houses.

After a recess of half an hour, the House resumed its session, and Mr. Booth offered the following:

Resolved, That a vote of thanks be given to Joseph T. Fales, as Chief Clerk, and Lemuel Parkhurst, as Assistant Clerk of this House, for the able and skilful manner in which they have discharged the duties of their respective offices during the present session.

Which was adopted without a dissenting voice.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—The Council have concurred in the amendments made by the House of Representatives to No. 3, C. F. "An act to be entitled An act supplementary to an act, providing for the appointment of a Superintendent of Public Buildings at Iowa City, and the appointment of a Territorial Agent, and for other purposes."

They have concurred in the amendment made to No. 25, C. F. "A bill for an act to amend an act relative to Divorce, Allimony, and for other purposes."

They have concurred in the amendment to No. 132, C. F. "A bill relative to the Davenport Institute."

The Council have disagreed to all the amendments to No. 86, C. F. "A bill for an act to amend an act to provide for the appointment of Justices of the Peace, &c., and desire a conference, and have appointed Messrs. Johnson, Hall, and Hastings a Committee on the part of the Council.

The Council have agreed to the amendments made by the House of Representatives to No. 128, C. F. "A bill relative to the survey of the town of Salem."

The Council have agreed to the amendments made by the House of Representatives to No. 142, C. F. "Joint Resolution relative to the printing of the Laws of the present session.

The Council have agreed to the amendment by the House of Represen-atives to No. 83, "A bill to incorporate the Cedar Rapids Manufactoring Company.

The Council have passed No. 138, C. F. "A bill for an act to repeal an act, to create the office of Superintendent of Public Instruction."

No. 40, C. F. "A bill to provide for the keeping Stallions and Jacks."

No. 149, C. F. "A bill supplemental to an act relative to incorporated religious societies."

No. 82, C. F. "An act to repeal an act to regulate the mode of petitioning the Legislature in certain cases.

No. 135, H. R. File, "A bill to re-locate a part of the road from Iowa City to Burlington.

They have passed, with amendments, No. 91, H. R. File, "A resolution authorizing the payment of money to James F. Hanby.

In all of which the concurrence of the House of Representatives is requested. And then he withdrew.

No. 91, H. R. File, "A Resolution authorizing the payment of money to James F. Hanby," being returned from the Council amended, was taken up, the amendment read, and concurred in by the House.

No. 82, C. F. "A bill to repeal an act to regulate the mode of petitioning the Legislature in certain cases," was read a first and second time.

A motion was made by Mr. Grant, to lay said bill on the table.

The motion was lost.

The bill was then read a third time. And the question being put, Shall the bill pass? It passed in the affirmative—Yeas 15, Nays 7.

The Yeas and Nays being desired by two members.

Those who voted in the affirmative, were, Messrs. Baker, Booth, Campbell, Felkner, Hebard, Hepner, McCulloch, Morgan, Moss, Patterson, Porter, Quinton, Robertson, Smead, and Whitaker.

Those who voted in the negative, were, Messrs. Grant, Higginson, Holliday, Toole, Weld, Wilson, and Lewis, Speaker.

So the bill passed, and its title was agreed to.

Ordered, That the Clerk acquaint the Council therewith.

No. 138, C. F. "A bill for an act to repeal an act, to create the office of Superintendent of Public Instruction," was read a first and second time.

On motion of Mr. Whitaker,

The bill was read a third time, and passed.

No. 149, C. F. "A bill supplemental to an act relative to incorporated religious Societies," was read a first and second time.

On motion of Mr. Weld,

The bill was read a third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

No. 150, C. F. "A bill to provide for the keeping of Stallions and Jacks," was read a first and second time.

A motion was made by Mr. Weld, that the House do go into a Committee of the Whole House on said bill. The motion was lost.

A motion was made by Mr. Baker, that said bill be indefinitely postponed.

And the question being put—It was determined in the negative.

Yeas 9, Nays 12.

The yeas and nays being desired by two members:

Those who voted in the affirmative, were, Messrs. Baker, Grant, Higginson, Holliday, Quinton, Smead, Toole, Whitaker, and Wilson.

Those who voted in the negative, were, Messrs. Booth, Campbell, Felkner, Hebard, Hepner, McCulloch, Morgan, Moss, Patterson, Robterson, Weld, and Lewis, Speaker.

Two slight amendment being made to said bill, it was read third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Quinton,

Ordered, That there be appointed a Committee of Conference to confer with a similar Committee on the part of the Council in relation to the disagreement of the two Houses to No. 86, C. F. "A bill to amend an act to provide for the appointment of Justices of the Peace," &c.

Whereupon, Messrs. Quinton, Grant, and Booth, were appointed said Committee.

On motion of Mr. Higginson,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. Toole, from the Committee on Enrolled Bills, reported Nos. 37, 55, 71, 91, 110, 141, 145, and 147, H. R. File, as correctly enrolled.

The Speaker then signed said enrolled bills.

Mr. Hepner, from the Committee on enrollments, made the following report:

The Committee on enrollments presented to his Excellency on the 17th, inst., for his approval—

An act to divorce James N. Hill, of Linn county, from his wife Eliza Hill.

An act supplemental to an act regulating Criminal Proceedings;

An act authorizing the reduction of the minimum price of the unsold lots in Iowa City, and for their sale for work and materials, and for other purposes;

An act to provide for the assessment and collection of taxes from the town of Zarahamla, in Lee county.

An act relative to officers of the Legislative Assembly;

A Memorial to Congress, praying an appropriation for the compensation of James M. Morgan;

An act to incorporate the town of Fort Madison;

An act for the re-location of a part of the Territorial Road from Iowa City to Prairie du Chien;

An act to re-locate a part of a Territorial Road, in Louisa county;

A Message from the Council, by Mr. Woods, their Secretary:

MR. SPEAKER—The Council have refused to appoint a Committee of Conference as to the disagreeing vote of the two Houses to No. 71, H. R. File, "A bill for an act to amend an act, subjecting real and personal estate to execution.

The Council have passed—

No. 148, C. F. "A bill to revive a part of the Territorial Road from Moscow, via Rochester, to Marion, in Linn county."

The Council have passed—

No. 151, C. F. "A Joint Resolution, relative to compensating Gilbert and Ruggles," &c.

In which they ask the concurrence of the House of Representatives.

The Council have concurred in the amendments made by the House of Representatives to No. 49, C. F. "A bill to provide for the keeping of Stallions and Jacks." And then he withdrew.

A motion was made by Mr. Grant, that the House do recede from their disagreement to the amendments to No. 71, H. R. File.

To which the House agreed.

No. 151, C. F. "A Resolution, allowing compensation to Gilbert & Ruggles," was read a first and second time.

A motion was made by Mr. Higginson, to lay said Resolution upon the table. The motion was lost.

The Resolution was then read a third time, and passed.

Ordered, That the Clerk acquaint the Council accordingly.

No. 148, C. F. "A bill to locate a certain Territorial Road in Muscatine county," was read a first, second, and third time, and passed.

Ordered, That the Clerk notify the Council therewith.

On motion of Mr. Booth,

The House adjourned until 7 o'clock this evening.

7 O'CLOCK, P. M.

Mr. Hepner, from the Committee on Enrollments, made the following report:

The Committee on Enrollments presented to his Excellency, the Governor, for his approval on the 17th inst.,

An act amendatory of an act to organize, discipline, and govern the Militia;

A Memorial to Congress for an appropriation to improve the Rapids in the Mississippi river;

An act to re-locate a part of a Territorial Road, in Washington county;

An act to divorce Rebecca Fisher from her husband John Fisher;

An act to incorporate an Insurance Company at the town of Farmington, in Van Buren county;

An act to incorporate the Mount Pleasant Literary Institute;

An act to re-locate a part of a Territorial Road from Iowa City to Burlington;

An act to change the name of "Rising Sun," to "Pittsburgh;"

A resolution, authorizing the payment of money to James F. Hanby;

An act to divorce Clarissa Welch from her husband John C. Welch;

An act to change the name of the town of Vandenburg, in Clinton county, to that of De Witt;

An act to provide for compensation of members, officers, and printers of the Legislative Assembly, and for other purposes;

A Memorial for a new Land District;

A Memorial to Congress for the benefit of Agriculture;

An act to re-locate that portion of the Territorial Road leading from Fairfield, in Jefferson county, to Wapello, in Louisa county, that lies between Checauque river and Jefferson, in Henry county:

A Memorial to Congress relative to the contiguous sections to Iowa City;

A Memorial for a new Land District;

A Memorial for a new Land District;

A Memorial for a new Land District;

An act to amend the Military Law;

An act supplementary to an act regulating Marriages, approved Jan. 6th, 1840.

An act relative to the Davenport Institute;

An act for the relief of James Davis, former Sheriff of Muscatine county;

An act relative to the survey of the town of Salem, in Muscatine county;

An act for the establishment of an Insurance Company at the city of Dubuque.

Messrs. Bainbridge and Leffler, a Committee from the Council, being announced, informed the House that the Council had no further business before them, and were now ready to adjourn *sine die.*

On motion of Mr. Grant,

Ordered, That a Committee be appointed to wait upon the Council, and inform that body, that the House had no further business before them, and are now ready to adjourn, *sine die.*

Messrs. Grant and Booth were appointed said Committee.

A Message from the Council, by Mr. Turner, their Sec'y pro. tem.

MR. SPEAKER—The Council have passed—

A Joint Resolution, authorizing the payment of money to O. H. W. STULL, Secretary of the Territory. And then he withdrew.

The resolution just received from the Council was then read a first, second, and third time, and passed.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Grant, from the Committee appointed to wait upon the Council, reported, that they had performed their duty, in accordance with the order made by the House.

On motion of Mr. Morgan,

Resolved, That a Committee be appointed to act in conjunction with a similar Committee on the part of the Council, with instructions to wait upon his Excellency, the Governor, and inform him, that the two Houses of the Legislative Assembly have no further business before them, and that if his Excellency have no further communications to make, both branches of the Legislature stand ready to adjourn *sine die.*

Messrs. Morgan and Roberts were appointed said Committee.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker:—I herewith present, for your signature, fourteen enrolled bills and resolutions.

The Council have appointed Messrs. Springer and Bainbridge a Committee on the part of the Council, to act in conjunction with a similar Committee on the part of the House of Representatives, to wait upon his Excellency, the Governor, and inform him that both branches of the Legislative Assembly are prepared to adjourn *sine die*, unless he has some further communications to make to them.

And then he withdrew.

The Speaker then signed said enrolled bills and resolutions.

On motion of Mr. Weld,

The House adjourned until to-morrow morning, at 7 o'clock.

Friday Morning, February 18, 1842.

A Message from the Council, by Mr. Woods, their Secretary:

Mr. Speaker—I herewith present, for your signature,

A Memorial, for the establishment of a Land Office at Marion, in Linn county; and,

An act to amend an act, to incorporate the town of Bloomington.

And then he withdrew.

The Speaker then signed said Memorial and Act.

Mr. Morgan, from the Joint Committee, appointed to wait upon his Excellency, the Governor, and inform him that the two Houses are now ready to adjourn *sine die*, reported, that they had performed their duty, and that the Governor had no further communications to make to either branch of the Legislative Assembly.

On motion of Mr. Biggs,

Ordered, That this House do now adjourn, *sine die*.

The Speaker then arose and addressed the House as follows:

Gentlemen—Our session has at length come to a close; and notwithstanding the great anxiety that we have awaited its approach, in order that we might again return to our homes, I can assure you, gentlemen, it brings to me feelings of gloom and sadness.

The association with those over whom I have had the honor to preside, I shall, in after days, recur to with pleasure; and the kindness, and ready disposition you have manifested in overlooking my errors, I shall ever remember with gratitude.

It is true, that in our debates, some warmth of temper has been occasionally exhibited; but permit me to say, gentlemen, that I leave you all in friendship, and that spirit, I hope, exists with you all.

It was not my intention to have said anything more than to have adjourned this House; but the unanimous adoption of the flattering resolution, tendering me your thanks for my humble services, would not, in justice to you, and my own feelings, permit me to say less.

Gentlemen, permit me to bid you farewell; and may you all arrive in safety to the bosom of your friends.

INDEX.

(A)

Ardent Spirits to Indians, 10
Auditor, county 27
Assessment and collection of Revenue, 27
Agency Road, 56
Adjournment during Holidays, 60
Appropriation for Convention, 64, 67, 72, 80
  “ for the Wapesipenicon and Maquoketa rivers, 68, 71, 77, 105, 195
Administratrix, Rachael Holcomb, 78, 89, 94, 101, 105, 110, 121, 140, 149
Assistant Messenger, dispensing of, 91, 93
Adjournment, 114
Agriculture, improvement of, 137, 184, 167, 173
Admission into the Union, 147, 155, 195, 209, 217
Acting Commissioner at Iowa City, 152, 161, 162, 170, 203, 215, 230, 278
Agriculture, improvement of, 224, 283
Account of Jesse Williams, 234
Allimony and Divorce, 271

(B)

Bloomington, incorporation of, 272, 273
Boundary Line, 24, 27, 55
Balance due the Territory, 73
Board of County Commissioners, 80, 105, 110, 148, 156, 186, 194, 209, 217, 223, 226, 229, 240
Baptist Church, in Iowa City, 92
Bridge across Skunk River, 104
Boundary Line, to re-survey, 118, 124, 132, 133, 148, 156
Buchanan, county seat, 176, 206, 214, 223
Bank of Davenport, 205, 210
Brighton Exporting and Importing Company, 207, 214, 250
Bridge across the South Fork of Maquoketa, 241, 246
Black Hawk, Town Survey, 248, 252
Butler Walter, relief of, 248

(C)

Chief Clerk, elected, 4
  “ “ vote of thanks of, 279
Committee to wait on Council, 8, 283
Committee, Standing, 8, 9, 18, 54
  “ from Council, 10
  “ to wait on Governor, 10, 11
Criminal Code, 10

Courts in 3rd District, 19
Capitol, 23
Call of the House, 24, 25, 58, 61, 77, 231, 259, 262, 264
County Auditor, 27
Convention, appropriation for, 64, 67, 72, 80
Criminal cases, 66, 71, 114
Constitution of State Government, 66, 70, 117, 133, 160, 169, 189, 191
Criminal proceedings, 71, 76, 87, 89, 102, 113, 119, 198, 208, 251, 232, 239, 245, 254, 281
Canal from Duck Creek to Davenport, 73
County Commissioners, 74, 79, 93
" " board of 80, 105, 110, 148, 156, 194, 209, 217, 223, 226, 229, 240
College in Washington co., incorporation of 88, 115, 122, 133, 157, 166
Communication of C. Swan and Jesse Williams, 92
Clinton county, an Electoral District, 97, 103
Crimes and Punishments, 98, 119, 121
Committee on Claims, Report, 98
" " Roads and Highways, 115, 117
Clerk of Commissioners elective, 115, 122, 135, 143, 167, 177, 198, 208, 241, 266
Costs and Fees, 120, 135, 141, 146, 180, 195, 208, 247, 254
Courts, Supreme and District, Jurisdiction of, 120, 147, 155, 207, 230
Canal, Iowa and Cedar River, 129, 146, 154, 195, 230
Comm. on Public Instruction, [illegible] 131
Clinton county, Comm. 141, 149
County Seat of Lee county, 150, 160, 169, 174
" " Delaware, 172, 181, 193, 230
Certificates of Purchase, 182, 189, 201, 208, 230
Canal at the Upper Rapids of the Mississippi, 189, 205
Cedar Rapids Manufactoring Company, 204, 206, 245, 263, 270
Court of Probate, 233, 266
County Agent for Johnson county, 233, 238, 245, 250
Chancery, Master in, 241, 245
Canal around the Lower Rapids of the Miss., 240, 246, 251, 269
Clinton county Seat, change of 247, 253, 263
Change of name of certain towns and rivers, 253, 263
Claims of J. G. Edwards and others, 263

(D)

Divorce and Allimony, 278
Dam across the Wapesipenicon, (Pollock) 9, 28, 31
" " Skunk, (Jason Wilson,) 27, 28, 32, 96, 106, 150, 156
Doorkeeper, leave of absence, 34
Dam across Des Moines, (Sparks) 55, 57, 59, 67, 77
Divorce of Jno. Haynes from Celia Haynes, 55, 61
District Court, jurisdiction of, 65
Distribution Law, proceeds of, 66, 75, 84, 119
Divorce of H. E. W. East and Sarah East, 73, 75, 102, 149, 156
Director and Supd't of Penitentiary, 73

Divorce of Naomi Williams from Edw'd Y. Williams, 79, 89, 94, 106, 121, 127
District Courts in Louisa co. 88
Dam across Crooked Creek, (Michael Heys & Jos. B. Rogers) 88, 93, 103
Doorkeeper Ass't, dismissal of 91, 93
Dam across Skunk river, Jos. Stephens & Co. 97, 116, 123, 130, 132, 141, 148
Davis Creek Academy, 114, 129
District, new Land, 116
Davenport, incorporation of, 118, 134, 144
Dam across Des Moines, (H. Eno) 118, 123
" " Skunk River, (Wm. Pickerel) 118, 124, 152, 163, 168, 215
District Courts, seals, 143, 147, 155, 172
Divorce of Sarah Wilson from Jno. Wilson, 145, 151, 161, 169, 211, 217
" " Sarah Connelly from Wm. Connelly, 146, 151, 161, 169, 209, 217
" " Nicey Hull from Chas. C. Hull, 165, 172, 181, 211, 217
Dam across Skunk River, (Sam'l Wells) 175, 200, 207, 215, 241, 266
Delaware, county seat, 172, 181, 193, 230
Divorce of Seth Baker from Sally Baker, 179, 205, 213, 222, 266
Davenport, Bank of, 205, 210
Dam across Des Moines, (Wm. Smith) 216, 220
Divorce of John E. Ely from Minerva Ely, 223, 227, 229, 240, 247, 266
District Courts, practice of, 233, 239, 242, 269
Divorce of Jas. V. Hill from Eliza Hill, 247, 281
" " Clarissa Welch from Sam'l Welch, 247, 253, 254, 262, 283
" " Rebacca Fisher from Jno. Fisher, 248, 254, 262, 273, 282
Divorce, Geo. C. Collins, 263
Davenport Institute, 272, 283
Distribution act, 279
Davis James, relief of, 247, 270, 280, 283

(E)

Election of Officers, 4, 5, 6, 7
Expenditures, 24
Expens of dispute relative to boundary line. 56, 58, 62, 64, 66, 69, 91, 109
Evidence by the oath of parties, 62, 74, 77, 90, 156, 157, 166
Election of Geo. L. Coe, 68, 70, 72, 80
Electoral Districts 91, 96, 107, 149, 155

(F)

Ferry at Davenport, 18
Fees of county officers, 24
" in contested election of J. K. Moss, 32, 61, 65
Ferry, Wm. V. Smith, Jackson county, 33, 61, 63, 70, 72, 207, 230
" M. W. Smith, 57, 68, 72, 74, 93, 104
Fence, lawful, 74, 78, 89, 90, 118, 130
Ferry, Keokuk, R. M. G. Patterson, 97, 112, 121, 133, 155, 157, 166
" Wapello, 97
" Parkes, in Jackson county, 104, 109, 121, 161, 133, 149, 152
" B. S. Knight, 120, 139
" Jno. Wilson, 120, 141, 148

Fences, removal of, 128, 147, 181
Ferry across Des Moines, J. Wright, &c. 133, 143, 155, 172
“ “ Mississippi, H. G. Reynolds, 151
“ “ “ J. R. Sloan, 159, 200, 207, 215, 266
“ “ “ Jno. Ronald, 172
“ “ “ O. A. Crary, 186
“ “ “ Jas. Leonard, 194, 201, 208, 279
“ “ “ R. Long, 207, 214, 248
“ “ “ Wm. Milligan and Brewer, 207, 214, 232
Ferries, act regulating, 223, 227, 229, 239, 246, 269
Ferry, across Miss., D. G. Bates and Jno. Forbes, 223, 227, 233, 265
Fort Madison, incorporation of, 233, 240, 247, 282
Ferry, across Skunk River, 271

(G)

Governor's Message, 11, 16, 21, 29, 231
Gaming, to punish, 233, 239, 242, 269
Gilbert and Ruggles, compensation of, 282

(H)

Hall, use of granted to Methodist, 11, 150
House, call of, 144, 162, 169, 173, 180, 182, 230, 231, 253, 259, 262, 264
Half Breed Lands, 148, 152, 167, 190
Hall, use of for Lyceum, 185
House, organization of, 3
Hanby, James F. claim of, 152, 169, 173, 283

(I)

Indian country, purchase of 56, 58, 62
Indians, Spirits sold to, 10
“ intercourse with whites, 23, 34, 58, 59, 60, 64
“ Sacs and Foxes, 23
Illegitimate children, support of, 62, 74, 78, 90
Iowa and Cedar River, navigation of, 64, 67
Indian country, organization of, 68, 278
Insurance Company, at Dubuque, 73, 225, 240, 247, 283
Iowa City, Baptiste Church, 92
Incorporation of Iowa City, 156, 158, 167, 190
Iowa Lodge, Bloomington, 156, 158, 183, 193
Incidental expenses, 174, 182, 204, 218, 220, 253, 255, 258
Insurance Company, Farmington, 176, 180, 199, 205, 211, 222, 224, 282
Insurance Company, at Bloomington, 216, 220, 228, 233, 265
“ “ “ Burlington, 240, 247
Iowa City, unsold lots in, 259, 281
Inspection of pork, beef, &c. 279
Iowa City, Fire Engine Company, 274
Islands, survey of, 32, 55, 232, 241, 265

(J)

Jackson county, in Districts, 18, 63, 66, 71, 157
Journal, Printing of 65
Justice of the Peace, 93, 105, 110, 120, 128, 142, 148, 161, 223, 227

Judge of Probate, 101, 105, 110
Journal, furnishing Press with, 112, 113
Judicial District Court, 3rd, 120, 135, 228
Judicial District Court, 2d, 174, 181, 211, 220, 227, 228
Johnson county, Ag't. for 223, 238, 245, 250
Justice of Peace, 242, 244, 270

(K)

Keosauqua, incorporation of, 223, 227, 229, 239, 246

(L)

Land office at Fairfield, 27, 96, 108, 157, 205, 214, 277
" " " Iowa City, 27, 157
" Sales postponement of, 27
Leave of absence to Robertson, 57
" " Higginson, 59
Land Office at Marion, 71, 72, 157, 205, 214, 272 277
Literary Institute at Mt. Pleasant, 78, 93, 103, 120, 128, 233, 141, 153, 177, 201, 208
License to Indian Traders, 91, 95
Leave of absence to Campbell, 93
Lost good and animals, 115, 122, 134
Lee county, seat of, 150, 160, 169, 174
Leave of absence to Quinton, 67, 203
Legislature, annual session of, 176, 185, 193, 201, 267
" " where, 267
Laws of Territory, revision of 177, 183, 197
Leave of absence, to Smead and Leffler, 67
Law relative to blacks and mulattoes, 185
Land District, new, 205, 211, 221, 283
Legislature, room for, 248
Laws, printing of, 100, 105
Lorton John, claim of, 171, 279

(M)

Members, qualified, 3, 4, 9, 17, 25
Mail from Iowa City, 7, 9, 18, 20, 27, 28, 29, 30, 31, 56, 57, 61
Mount Pleasant, incorporation of, 10, 57, 61, 64, 144, 150, 156
Message from Council, 10, 29, 25, 30, 33, 56, 62, 65, 66, 70, 76, 85, 90, 95, 97, 101, 102, 106, 112, 114, 117, 118, 124, 131, 133, 135, 145, 148, 154, 162, 168, 179, 185
Mail Routes, 17, 18, 93, 103, 155, 161, 166, 180, 197
Money, Loan of, 21, 34
Militia Law, 23, 157, 169, 178, 251, 264, 266, 270, 277, 282, 283
Military, exemption from, 38
Mail Rout, from Iowa City to Mount Pleasant, 55, 57
Memorial for Road from Iowa City to Prairie du Chien, 55, 57
Mail Route from Galena to Iowa City, 60
Mechanics' Institute, Dubuque, 65, 66, 71, 91, 93, 104
Mechanics' Mutual Aid Association, Iowa City, 68, 69, 80

Mail Route from Dixon, Ill., to Iowa City, 74, 75, 87
" " Burlington to Farmington, 87
Memorial of Francis Gehon, 92
Marriage, regulation of, 101, 108, 111, 130, 160, 270, 277, 283
Methodist Episcopal Church in Marion, 107, 110, 216, 221
Marion, M. E. Church, 107, 110, 216, 221
Memorial for two Townships of land, 115, 121, 133
" relief of Jer. Smith, 129, 204, 207, 215
Miners' Bank of Dubuque, 143, 144, 146, 154, 190, 200, 207, 212, 215, 222
Memorial for appropriation of section in Iowa City, 172, 189, 205, 212
217, 226, 238, 246, 262
Marks and Brands, 174, 182
Message from Council, 192, 194, 196, 200, 203, 206, 209, 213, 221,
228, 238, 245, 249, 251, 254, 256, 258, 259, 261, 267, 270, 270, 279,
283, 283, 284
Mills and Millers, 206, 214
Mem. for new Land District, 205, 211, 221
Muir, James, 207, 214, 223, 248
Mill Dams, Locks in, 146, 173, 179, 193, 203, 205, 210, 222
Mem. for Agricultural improvement, 224
Maquoketa, navigation of, 224, 232, 241. 266
Message from Governor, 11, 16, 21, 29, 231
Mail Regulation by steam, 132, 142, 157, 166
Morgan, James M., compensation of, 282

(N)

Newspapers, Clerk to furnish, 8, 34
Newhall's Maps and Sketches, 27
National bridge across Wapesipenicon, 68, 71, 195
National Armory, Mem. for, 120, 142, 230, 241, 279

(O)

Organization of House, 3
Officers sworn. 8
" appointment of, 4
Organic Law, 160, 161
Oaths and affirmations, 204, 206, 215, 242
Officers of Legislative Assembly, 281

(P)

Prayer, session opened by, 3
Postage, 7
Pay of officers, 8, 273, 283
Printing, incidental, 8, 17, 24, 25, 26, 28, 29, 68, 97, 98, 108, 109, 112
116, 118, 216, 229, 242, 272
Privileged persons, 11, 17, 63
Penitentiary, 23, 73, 74, 84, 91, 109
Public instruction, 23, 115, 280
Penitentiary, appropriation for, 32, 55

Purchase of Indian country, 56, 58, 62
Presbyterian Church in Iowa City, 62, 64, 66
Penitentiary, Director and Superintendent of, 73
Petition of L. Summers, 97, 104
Printer, Territorial, 121
Poor Houses, 128, 146, 159, 167
" relief of, 146, 158, 167, 169
Public Instruction, report on, 131
" " Printing, 142, 148, 200
Post Officers, 174, 182, 194, 198, 208, 230
Physicians, practice of, 175
Petition of J. Corbit, 185, 278
Protest of Mr. Grant, 202
Petition from Des Moines and Louisa, 210, 216
Presbyterian Church, in Fort Madison, 216, 221
Probate Court, 233, 266
Prices of printing, 253, 254, 259
Petition, mode of 280

(R)

Records, Com. on, 10, 278
Rules, 10, 19, 21
Road from Fairfield to Keokuk, 18, 28, 32, 55, 57, 61, 64, 93, 104
" " Davenport to Western boundary, 20
" " St. Francisville to West Point, 25, 30, 31, 55, 49, 69, 75
Rapids of the Mississippi, 18, 23
Real Estate, when under execution, 26, 28, 32, 279
Road Tax, 31, 75, 84, 85, 91, 174, 266, 217
" from Burlington to mouth of Des Moines, 32, 33, 55
" Iowa City to P. du Chien, 32, 55, 57, 61, 64, 176, 194, 272, 282
" from mouth of Tete de Mort to Marion, 33, 71, 80, 89, 112, 116, 119
" Agency, 56
" Deeds' Mill to B. Line, 63, 67, 93, 104
" Marion to Bellview, 64, 67, 68, 74, 90
" Delaware co. seat to West Cascade, 71, 80, 89, 96, 121, 127
Report from Com. on Territorial Affairs, 68
Remonstrance against a new county, 73
Road from Davenport to Dubuque, 79, 117, 123, 151, 185
Report on Public Buildings, 80
" from Territorial Agent, 82
Religious Societies, to incorporate, 89, 94, 106, 281
Repeal of loan for Capitol, 89, 94, 106
Road from Dubuque to B. Line, 91, 95, 232, 269
Rrom from Lingle's Mill to Marion, 96, 108, 110, 127
Report from Comm. on Claims, 98, 166
Road from Bloomington to Dubuque, 104
" " West Liberty to Edinburgh, 104
" " Washington to Iowa City, 109
" " Marion to Iowa City, 109
" " do to Indian Boundary, 114, 146, 155, 168

Road in Washington co., 114, 120, 123, 133, 141, 148, 152, 161, 176, 180, 195, 197, 248, 253, 263, 282
Roads and Highways, 115, 117, 153, 157, 161, 167, 200
Road from Richmond to Iowa City, 115
Report of Com. on Agriculture, 116
Road in Henry co., 118, 124, 133, 156
“ from J. Baldwin's to Mr. Abbee's, 118, 124
Real and Personal Estate, 120, 124, 128, 147, 152, 161, 163, 167, 171 205, 213, 226
Road, Territorial, 123, 134, 148, 161, 171, 177, 189, 195, 196, 197, 198, 202, 210, 230, 271
Report of Sup't of Penitentiary, 125
Road from Pt. Pleasant to Dubuque, 127
“ through Jackson co. 127, 129, 185
“ from Crawfordsville to West Point, 129
“ National, improvement of, 130, 142, 151, 158, 167, 198, 208, 211
Report from Com. on Public Instruction, 131
“ of Supreme Court, 133, 143, 155, 172
“ Com. on Agriculture, 135
“ “ “ Military Affairs, 137, 242
Relief of the Poor, 146, 158, 167, 169
Road from Burlington to Des Moines, 149, 152, 167, 195, 201
“ “ Keosauqua to B. Line, 149, 158, 190
“ “ Denson's Ferry to Dubuque, 151, 161, 168, 198, 209, 217
“ “ Moscow to Iowa City, 152
“ “ Keosauqua to Iowaville, 158, 167, 174, 230
“ in Louisa, Johnson, and Muscatine cos. 160
“ “ Farmington to Dubuque, 165, 172, 193, 215, 230
“ “ Charles Nealy's, to Iowa City, 172, 181, 193, 279
“ in Clayton county, 175
“ “ Van Buren co., 175
“ “ Bellview to Iowa City, 175
“ “ Crawfordsville to Smith's Mill, 180, 201, 208, 266
“ “ Fairfield to Skunk river, 185, 195, 202, 208, 269
“ “ W. Clark's to Marion, 186, 208
Report of Special Committeee, 186
“ “ Comm. on Territorial Affairs, 194
Road from Fort Atkinson to Dubuque, 204, 211, 221, 227, 266
“ “ Farmington to B. Line, 207, 214, 223, 248
“ in Jefferson co., to re-locate, 207, 288
“ from Marion to Eads' Grove, 208
“ “ “ “ B. Line, 215, 230
“ “ Iowa City to Burlington, 223, 229, 241, 247, 283
Report from Com. on Judiciary, 224
“ “ “ on Claims, 233
“ “ “ “ Mail Routes, 278
Roads in Jefferson and Henry counties, 234
Report on Special Comm. on Public Printing, 234
Road from Farmington to Prairie du Chien, re-location of, 237
Real Estate, 226, 229, 240, 247

Road from Fairfield to Wapello, 242, 252, 262, 283
" " Road from Davenport to Marion, 247, 270
" in Clinton co., 269
" " Louisa co., 272

(S)

Speaker pro. tem. app'd. 3
" elected, 4
" vote of thanks to, 279
" address, 4, 284
Statutes, members furnished with, 10
State Gov'mt, 17, 23, 66, 70, 72, 107, 133, 160, 169, 180, 191, 250, 252, 255, 269
Statutes, sale of 17, 19, 26, 30, 32, 34, 58. 62, 71
Seminary of Learning at West Point, 18, 204, 206, 215, 242
State Boundary, 21
Sac and Fox Indians, 23
Section, sixteen, 26
Stray Law, 27, 115, 122, 134
Survey of Islands, 32, 55
School lands in half-breed tract, 32, 55, 75, 84, 91, 109
Sup't of Public Buildings, 53, 59, 73
" " " " appointment of 64, 66
Soceder Church, Marriages in, 84, 89, 95
Supreme Court, 86
" Special Term, 104
" Jurisdiction of, 120, 147, 155, 207, 230
School Fund, 132, 147, 205, 211, 221
Supreme Court, reports of, 133, 143, 155, 172
Supervisors of Roads and Highways, 149, 153, 167, 190
School Districts in new counties, 160
Sale of reserved lots in Iowa City, 160, 170
Safe keeping of Criminals, 174, 181, 194, 201, 209, 230
Session of Legislature, 176, 183, 193, 201, 267
School Lands, trespassing on. 180, 199, 201, 250
Survey of the town of Marion, 216, 221
Salem, survey of, 247, 270, 283
Seat of Government removal of 265
Stallions and Jacks, 281

(T)

Territorial Agent, report of, 35, 59
Townships, organization of, 62, 74, 78, 87, 92, 217, 232, 279
Territorial Agent, appointed, 80, 90
" Roads, location of, 87
Tresspass on Lands, 156
Turkey River, navigation of, 175
Territorial Agent, abolished, 211, 221
" Library, 233, 239
Toolsburgh survey, 271

Taxes ass'd and collected in Zarahamla, 272

(U)

Universalist Society, Iowa City, 68, 70
Upper Mississippi, navigation of 114, 146, 158, 167

(V)

Valuation Law, 183
Vestry of Trinity Church, incor. (Davenport) 223, 227

(W)

West Point Seminary of Learning, 18, 204, 206, 215, 242
Weld, Mr., motion to send for, 24
Warren county, 79, 101, 157
Washington, College in 88, 115, 122, 133, 157, 166
Wapesipenicon, dam across, (Pollock) 92, 96, 121, 127
Washington Manufactoring Company, 133, 142, 155, 172
Weights and Measures, 148, 152, 168, 276, 183
Writs of Attachment, 216, 220, 220, 229, 238
Wills and Testaments, 271
Williams Jesse, account of, 234